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THE WORKS

OF

JOHN C. CALHOUN.

VOL. IV.

NEW-YORK:
D. APPLETON AND COMPANY.
M.DCCC.LIV.

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SPEECHES

OF

JOHN C. CALHOUN,

DELIVERED IN THE

HOUSE OF REPRESENTATIVES,

AND IN THE

SENATE OF THE UNITED STATES.

EDITED BY

RICHARD K. CRALLÉ.

NEW-YORK:
D. APPLETON AND COMPANY,
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M DCCC.LIV.

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SPEECHES.

SPEECH

On the Loan Bill, delivered in the Senate, July 19th, 1841.

[The Bill from the House authorizing a loan of twelve millions of dollars, was taken up, the question being on its passage.]

Mr. Calhoun said: I rise simply to state my reasons for voting against this measure, but without the slightest expectation of changing a single vote, after witnessing the united and disciplined resistance, during the progress of the bill, to every amendment, however clear and necessary.

I am not one of those who believe that we are bound to vote supplies to cover a deficiency in the treasury whenever called on, without investigating the causes which occasioned it. On the contrary, I not only regard it as a right, but as a duty, before voting supplies, to scrutinize, with the utmost caution, the necessity of granting them, and then to grant with extreme moderation, after we are satisfied of the necessity. I hold, in fact, that the right of granting or withholding supplies is a fundamental principle in all free States, be the form of government what it may; and that it is not less necessary in our Government than in that of Great Britain. It springs necessarily out of the relation which is to be found under every government of tax payers and tax consumers—

those who support and those who are supported by the Government. Governments will ever be found leaning to the side of the latter, and that tendency, unless counteracted by withholding supplies, must, in the end, impose on the community oppressive burdens.

To make out his case, it was not sufficient for the Secretary to show that there was an actual deficit; he must go further, and show how it occurred, and why it could not be avoided. This he has not done, except to state that there has been a falling off in the estimated amount of the revenue. I hold he ought to have gone further, and to have shown that every effort has been made, on his part, to meet such falling off by economy in the expenditures, and limiting their amounts as far as was consistent with the public service. If, after showing that he had done so, a deficit still remained, I would feel bound to supply it, but not otherwise.

So far from doing this, he had shown a disposition precisely the reverse—a desire to make out a deficit, instead of avoiding one; and that too, expressly with a view that he might make this call for supply in the form of a funded debt.

I feel satisfied that, had the present Secretary been actuated by the same strict regard to economy as his predecessor, there would not have been a cent of deficiency at the end of the year. I believe the treasury was as amply supplied, in proportion to the demand upon it, at the commencement of this year, as it was at the commencement of the last; and yet we have a demand now, when the year is but half expired, of an additional supply of $12,000,000; when, at the termination of the last, under circumstances not less trying, a considerable surplus remained in the treasury. The Senate will remember that, after the estimates had been made and voted to meet the demands on the treasury for the present year, they were enlarged at the suggestion of one of the members of the opposition (Mr. Wise), by the grant of power to

issue $5,000,000 of treasury notes, which was more than sufficient to cover the actual falling off of the imports below the estimate.

I will say to my friends, that if they adopt it as a principle to grant supplies in such cases whenever the Secretary chooses to make a deficit, vain would be their resistance to those now in power. Let it not be said, that to pursue such a course would endanger public credit, or arrest the wheels of Government. The majority in power, whose extravagance or neglect may cause the deficit, will be held responsible for supplying it; but they had no right in such cases to call for the vote of those who are opposed to them.

I hold that there is a distinction in this respect between a state of peace and war. In the latter, the right of withholding the supplies ought ever to be held subordinate to the energetic and successful prosecution of the war. I go further, and regard the withholding of supplies, with a view of forcing the country into a dishonorable peace, as not only to be, what it had been called, moral treason, but very little short of actual treason itself. It was this which rendered the attempt to withhold supplies by the Federal party, during the late war, so odious.

But I am not compelled to resort to this high elementary principle to justify my opposition to the present measure. It furnishes abundant ground, connected with its details, to justify the most decided opposition; and among others, it will be sufficient of itself that it asks too much. It proposes a loan of $12,000,000 with a power of issuing treasury notes in the place of those that may be redeemed, amounting to 6,000,000 or 7,000,000 more;—thereby authorizing a loan of about $18,000,000, when, in fact, the deficiency of the year cannot require more than $5,000,000. I will not repeat the arguments necessary to establish this fact. It has been clearly shown that that sum would be sufficient, with due economy, not only to cover the deficiency in the treasury at

the end of the year, but to leave a sufficient supply in the mint for the purpose of coinage, and in the treasury to meet the current expenses of the Government.

I am unwilling to vote any supplies beyond the exigencies of the year. I can see no good reason for it;—but, on the contrary, many against it. A large portion of the supposed deficiency of the next year, whatever it may be, cannot take place before the 4th of March,—and much of it not until nearly this time twelvemonth. Why then provide for it at this extraordinary session, when our attention is absorbed in other and more important subjects? Why not wait until the next regular session, when there will be so much more leisure,—when the state of the treasury will be so much more accurately known,—and when the revision of the tariff—whether it should take place at this or the regular session—will enable us to decide so much more accurately on the amount that may be required. I do not regard it as a case for confidence, as claimed by the Senator from Kentucky (Mr. Clay), but simply of prudence and discretion. Our confidence may be asked when it becomes necessary to act, but never in such a case as this, when there is no such necessity.

But there are other and stronger reasons why the grant of supplies should not extend beyond the present exigencies of the Government. If this bill should become a law, it would, as has been stated, place at the disposal of the treasury a sum not less, in all probability, than $18,000,000. Past experience has taught us that the expenditures of the Government never fail to keep pace with its means,—which would most certainly be the case in this as in all former instances. There is no government on earth that has a stronger disposition to extravagance than this. Make this large and unnecessary grant of supply, and we shall hear no more of economy and retrenchment—virtues so essential to a republic, and so necessary at the present time. Truth demands that I should say they are required in every depart-

ment of the Government,—beginning with Congress and going down to the humblest officer. It is not my object to blame any party or any individual. The disease originated in the Tariff of 1828, which poured millions upon millions into the treasury, beyond the wants of the Government,—and that, too, on the very eve of the final discharge of the public debt. So strong was the current that the difficulty was to discover expedients by which the surplus could be disposed of. It is not at all extraordinary that, in such a state of things, all ideas of economy, retrenchment, and accountability should be lost, and the most wasteful extravagance pervade every department. For this there was but one remedy—to cut off the supplies by reducing the duties and by withdrawing the surplus from the treasury. Both were successfully applied—the former by the Compromise Act, and the latter by the Deposit Act of 1836. An exhausted treasury was the result; and there followed, as ever will follow, from an embarrassed treasury, a spirit of economy, retrenchment, and the enforcement of accountability, which have effected, in the last two years, a very great reduction under the auspices of the late Secretary of the Treasury, the Senator behind me. It is our true policy to continue the embarrassment, as the only means of enforcing the necessary reform. A government, like a family, spoiled by an extravagant income, can only be reformed by stinted means. This measure would relieve the embarrassment—give a large temporary surplus to the disposal of Congress, and put an end to all further reform.

I next object to the mode. I prefer treasury notes to permanent loans. It will be far cheaper. Instead of six per cent., which the loan will cost, treasury notes will not cost more than three. I understand that the average interest on the whole amount heretofore issued by the Government since the suspension of 1837, is 4 per cent., 2 per cent. less than that proposed to be given on the loan:—which, on

$12,000,000, would make a saving of $240,000 annually. But this is not all. In the case of treasury notes, interest never begins to accrue until they are used; while on the contrary, in making loans, interest is paid on large amounts long before they are used,—a difference which cannot be estimated at less than 1 per cent. making an additional saving of $120,000 in favor of the former. The two items make $360,000 annually, and upwards of $1,000,000 in three years—the period before which the loan cannot be redeemed. But this is not the only loss which the country would suffer. The bill provides for the exchange of treasury notes for the stock which it proposes to create, and which, as has been stated, would not be redeemable in less than three years—while none of the treasury notes have more than one year to run,—at the expiration of which the interest ceases. Again: many of the treasury notes bear but 2 per cent. interest, and some less than that, having a mere nominal interest, and others 5$\frac{2}{3}$ per cent. None exceed 6 per cent. These are to be exchanged for stock bearing 6 per cent.—making a clear loss to the Government, and a corresponding gain to the holders of the notes (principally banks and brokers,) equal to the difference in the interest.

As great as this may be, it is by no means the strongest objection under this aspect. To understand the real loss to the country, we must cast our eyes, as I said on another occasion, to what is passing in the other wing of the Capitol. A bill has been introduced there to raise the duties on all articles now duty free, and those which pay less than 20 per cent. to 20 per cent., which would raise the revenue from the imports to $25,000,000 annually,—provided such heavy duties should not reduce the exports, and, in consequence, the imports. I speak on the supposition that the exports will continue to increase for the next three or four years in the same ratio that they have since the reduction of the

tariff, which they will do, in all probability, unless kept down by high duties on imports.

What, then, must be the effects of this exchange of treasury notes, payable in the course of a year, for stocks that have three years to run? How will this vast increase of revenue be absorbed during that period, when no part of it can be applied to the discharge of the debt, or absorption of treasury notes? One of two results must necessarily follow: there must be a great and extravagant increase of expenditure, equalling at least $28,000,000, comprehending the revenue from the public lands, or the reaccumulation of another surplus, to be followed by another expansion, with all the disastrous consequences which we have so recently experienced from the late surplus. If the former, what becomes of the promises of reform, retrenchment, and economy, so profusely made during the late canvass?

In all this, the gain to the banks will be not less clear than the loss to the Government. Should a surplus be permitted to accumulate, it would be but an increase of the deposits in the bank—that is, so much additional bank capital for the time, advanced by the Government, without interest. Should it, on the contrary, be spent in expenditures, it would but add to the increase of bank circulation, in which it would be collected and disbursed. To which add, that, in converting treasury notes into loans or stocks, it will give to the former a shape in which it would become a commodity, having a demand in the foreign market,—instead of being confined to our country, so long as it continued in the original form,—and would thereby enable its holders to acquire the means of putting and continuing the bank in operation.

But why all these sacrifices, amounting, I may safely say, to millions in this single transaction, in favor of banks, brokers, and stock-jobbers? How is it to be explained? If

this body, instead of being a Senate of the United States, was a deputation from Wall-street, sent here to arrange the details of the measure, we would not be at any loss to understand why they are arranged as they are. They are all contrived, in the best manner, to suit their interest, without, apparently, any regard to the interest of the Government. But we are not such a deputation. We are the representatives of the twenty-six sovereign States of this Union,—intrusted with high powers to be used for their benefit,—and to watch over and guard their interests; and what justification can we offer in thus sacrificing, without compensation, the interests of those we were sent here to represent? We have not the excuse of saying that they were overlooked. In almost every instance of sacrifice which I have pointed out, amendments were offered with a view of protecting the public interest, which, after full discussion, making manifest the sacrifice, were voted down by an united and steady majority.

With all these advantages and great saving in favor of treasury notes, why not use them in preference to loans? But one objection has been urged,—that there is so great a facility in their use, that the Government will be tempted to plunge deeply into debt, unless disused. And from whom does this objection come? From the party who, if they do not think that a public debt is a public blessing, show clearly by their acts and their declarations, that they regard it as no great evil. As to my part, I wish to speak with perfect candor; I will admit that, to a certain extent, there is a facility in the use of treasury notes, which might, to a limited extent, tempt to incur debts. The limits are narrow. The embarrassment of the treasury, of which we have heard so much in this debate, must always prevent an excessive issue. It is like an individual using his notes of hand, having a short date to run, to meet his engagements. The return of these would soon embarrass him; to avoid which, and to

enable him to plunge more deeply in debt, the resort, on the part of the thoughtless, is usually to a mortgage. Such, I apprehend, is the case in the present instance; for what is a permanent loan but a mortgage upon the wealth and industry of the country? It is the only form of indebtedness, as experience has shown, by which heavy and durable encumbrance can be laid upon the community.

But there is another and decisive reason why there is no ground to fear that a large and permanent debt will ever be contracted in the form of treasury notes. The banks, which constitute by far the most influential interest in the community, are hostile to their circulation. They regard them as formidable competitors to the circulation of their own notes, from which they derive so large a share of their profits; and hence have ever thrown their whole weight against them, as was witnessed during the late war, and since the present suspension. Very different are their feelings towards loans and stocks. Instead of viewing them with a jealous feeling of rivalry, they regard them as the safest and most acceptable source of profit, and are the foremost on every emergency, like the present, to urge the Government to resort to them as the best means of relief from its pecuniary embarrassment. Break all connection with the banks,—neither receive nor pay away their notes, nor use them as the depositories of your money, or as your fiscal agents,—take, in a word, such a step as will withdraw their powerful influence in favor of public loans,—and there would scarcely be found an individual, in a case like the present, who would prefer them to treasury notes. In fact, were it not for banks and bank connection, the Government could at all times use its own credit to supply a temporary deficit, many times greater than the present, without the charge of a single cent for interest. What did the Senator who reported this measure, and supports it so zealously, say, when, some one or two years since, he denounced the Sub-Treasury, because,

according to his opinion, it would become a fiscal bank? He told us, and told us truly, if we had no banks, or connection with them, that the credit of the Government alone, even with our limited revenue, could keep in circulation $40,000,000, in the form of treasury drafts, which would be at par all over the Union. Yes, Sir, would be at par, without a cent of interest. The demands of the Government for them in its fiscal concerns, and that of the community in its commercial and business transactions, would maintain them at par with gold and silver, as a medium of circulation. But this great resource, which would prove a substitute for loans in the hour of difficulty, is transferred to banks, without compensation, and lost to the community.

This brings me to another, and to me an overpowering objection, against supplying the deficit of the treasury in the mode proposed, to which I alluded the other day in the discussion on the amendments. We talk of loans, as if we borrowed gold and silver. Under our bank dynasty, this is all a mistake. It is nothing but an exchange of credit; and when the Government is the borrower, it is little short of a fraud on the community. What is it but to give its credit as proposed in this bill, in the form of a six per cent. stock, in exchange for bank-notes (or worse, for a credit on the books of the banks) bearing no interest, when in fact their notes of credit are but little more than the credit of the Government, that is, the community in another form. The Government, in a word, borrows back its own credit, through the banks, at the rate of six per cent., when it might use it directly, with equal convenience, for nothing at all. Thus thinking, I regard the whole amount of interest which may be paid for this loan, and which for three years would be more than $2,000,000, to be but little more than a donation to banks and brokers. No wonder, then, that Wall-street should shout and clap its hands for joy, on its passage through the other House. Not at all surprising is

it, that it should regard it as a good omen that the bank and the whole batch of measures associated with it, would also force their way through Congress. Yes, it has cause for joy and rejoicing.

This bill is the entering wedge for all the measures of the session, and on which it is proposed to rear a splendid superstructure of the paper system—bank, debts, and stock—rivalling that of Great Britain. He is blind indeed, who does not see, in the signs of the times, a strong tendency to plunge the Union as deeply in debt as are many of the States, and to subjugate the whole to the paper system. Every movement and measure indicates it. What are we doing, and what engrosses all our attention from morn to noon, and from week to week, ever since our arrival here, at the commencement of this extraordinary session, and will continue till its end? What but banks, loans, stocks, tariffs, distribution and supplies? All else is forgotten and absorbed in these; and what are these but parts and parcels of the paper system?

On such an occasion, when a revolution is attempted in the Government, I feel bound, as the representative of one of the sovereigns of this Union, to give utterance to my opinion, with all possible freedom, within the limits assigned by parliamentary rules to the liberty of discussion. I then proclaim that Wall-street (the head and centre, in our country, of the great moneyed, bank, stock, and paper interest, domestic and foreign) is in the ascendant in the councils of the Union. Every measure is controlled by it, and at its pleasure;—banks, brokers, and stock-jobbers, sway every thing; and this is the only fruit of the victory of the party, which has been so triumphantly chanted from one extremity of the Union to the other. All else are neglected—forgotten. No, not all. The office-seekers are remembered. They come in for their share. Between these our time is exclusively

divided; laboring hourly and daily for the one in secret, and the other in open session.

As to the people, what attention do they receive? They want economy and retrenchment—light taxes and moderate expenditures. On these not a thought is bestowed, although they were told, during the late canvass, by those now in power, (and truly so,) that there was much to reform—much useless and wasteful expenditure to retrench, accompanied by solemn pledges for reform, if victory should place power in their hands. All these are now forgotten or postponed. I say postponed, for the Chairman of the Committee of Finance has told us, that, at the next session, these pledges are to be redeemed. So, then, the favorite few—the money-mongers and office seekers—are to be first served—to sit at the first table—and the people to have the bones and crumbs of the second—if, indeed, they should be permitted to share at all in the fruits of the victory. Instead of sharing the fruits, they will share, I suspect, the fate of one of the most patriotic and intelligent corps of recruits, which swelled the ranks of the victors in the late election. I refer to those who were enlisted by the promise that proscription should be proscribed, so solemnly given, and so often repeated, from the general-in-chief down to the lowest recruiting sergeant; —but which has been broken in utter contempt and scorn of plighted faith.

Another respectable corps of recruits are doomed to share the same, if not a more disgraceful fate. I refer to the large portion of the State Rights men, who rather voted against Mr. Van Buren, than for Gen. Harrison,—and who were induced to hope from declamation from high sources during the canvass, that the pure days of the old State Rights Jeffersonian doctrines would be restored if Mr. Van Buren should be defeated. Where do they now stand? Where stand all but the respectable portion, which have already discovered the deception and returned to their old standard?

In the ranks of the bitter and determined opponents of all they ever professed and contended for—doomed, unless they speedily separate from faithless allies, to loss of caste and endless disgrace.

And what is to become of that mighty mass who were governed without reason and reflection, by the mere force of pecuniary pressure, to seek change—in whose ears, change, change, change, was incessantly rung? Have prices improved? Have times become better? or will they, in consequence of these measures? Far otherwise. The agitation, which they have already caused,—which they must continue to cause,—and the powerful disturbing influence which they must have, if adopted, on the currency and the money market, are the most deadly foes to the revival of business. They have already done much to depress trade, and destroy confidence; and should they unfortunately succeed, will do more to prevent the return of prosperous times, than any other step that could be taken. The end will be, that these, like every other corps of recruits that swell the ranks of the victors,—except the two exclusive favorites here, office seekers and money-mongers,—are doomed to sad disappointment.

SPEECH

On the Distribution Bill, delivered in the Senate, August 24, 1841.

Mr. Calhoun said, if this bill should become a law, it would make a wider breach in the constitution, and be followed by changes more disastrous, than any one measure which has ever been adopted. It would, in its violation of the consti-

tution, go far beyond the general welfare doctrine of former days, which stretched the power of the Government as far as it was then supposed was possible by construction, however bold. But, as wide as were the limits which this doctrine assigned to the powers of the Government, it admitted, by implication, that there were limits: while this bill, as I shall show, rests on principles which, if admitted, would supersede all limits.

According to the general welfare doctrine, Congress had power to raise money, and appropriate it to all objects which it might deem calculated to promote the general welfare,—that is, the prosperity of the States, regarded in their aggregate character as members of the Union; or, to express it more briefly, and in language once so common,—to national objects; thus excluding, by necessary implication, all that were not national, as falling within the spheres of the separate States. As wide as are these limits, they are too narrow for this bill. It takes in what is excluded under the general welfare doctrine, and assumes for Congress the right to raise money, to give by distribution to the States; that is, to be applied by them to those very local State objects to which that doctrine, by necessary implication, denied that Congress had a right to appropriate money; thus superseding all the limits of the constitution,—as far, at least, as the money-power is concerned. The advocates of this extraordinary doctrine have, indeed, attempted to restrict it, in their argument, to revenue derived from the public lands; but facts speak louder than words. To test the sincerity of their argument, amendments after amendments have been offered to limit the operation of the bill exclusively to the revenue derived from this source, but which, as often as offered, have been steadily voted down by their united voices. But I take higher ground. The aid of these test votes, strong as they are, is not needed to make good the assumption that Congress has the right to lay and collect

taxes for the separate use of the States. The circumstances under which it is attempted to force this bill through, speak of themselves a language too distinct to be misunderstood.

The treasury is exhausted; the revenues from the public lands cannot be spared; they are needed for the pressing and necessary wants of the Government. For every dollar withdrawn from the treasury, and given to the States, a dollar must be raised from the customs to supply its place: this is admitted. Now, I put it to the advocates of this bill,—Is there, can there be, any real difference, either in principle or effect, between raising money from customs, to be divided among the States, and raising the same amount from them to supply the place of an equal sum withdrawn from the treasury to be divided among the States? If there be a difference, my faculties are not acute enough to perceive it; and I would thank any one who can point it out. But, if this difficulty could be surmounted, it would avail nothing, unless another, not inferior, can also be got over. The land from which the revenue, proposed to be divided, is derived, was purchased (with the exception of a small portion, comparatively, lying between the Ohio and Mississippi rivers) out of the common funds of the Union, and with money derived, for the most part, from customs. I do not exempt the portion acquired from Georgia, which was purchased at its full value, and cost as much, in proportion, as Florida purchased from Spain, or Louisiana from France.

If money cannot be raised from customs or other sources for distribution, I ask, how can money derived from the sales of land purchased with money raised from the customs or other sources, be distributed among the States? If the money could not be distributed before it was vested in land, on what principle can it be when it is converted back again into money by the sales of the land? If, prior to the purchase, it was subject, in making appropriations, to the limits prescribed by the constitution, how can it, after having been

converted back again into money by the sale of the land, be freed from those limits? By what art, what political alchemy, could the mere passage of the money through the lands free it from the constitutional shackles to which it was previously subject?

But if this difficulty also could be surmounted, there is another, not less formidable and more comprehensive, still to be overcome. If the lands belong to the States at all, they must belong to them in one of two capacities,—either in their federative character, as members of a common union; or in their separate character, as distinct and independent communities. If the former, this Government, which was created as a common agent to carry into effect the objects for which the Union was formed, holds its authority over the lands, as it does all its other delegated powers, as a trustee for the States in their federal character, for those objects only, and for no other purpose whatever; and can, of course, under the grant of the constitution "to dispose of the territory or other property belonging to the United States," dispose of the lands only under its trust powers, and in execution of the objects for which they were granted by the constitution. When, then, the lands, or other property of the United States, are disposed of by sale—that is, converted into money—the trust, with all its limitations, attaches as fully to the money, as it did to the lands or property of which it is the proceeds. Nor would the Government have any more right to divide the land or the money among the States,—that is, to surrender it to them,—than it would have to surrender any other subject of its delegated powers. If it may surrender either to the States, it may also surrender the power of declaring war, laying duties, or coining money. They are all delegated by the same parties, held by the same instrument, and in trust, for the execution of the same objects. The assumption of such a right is neither more nor less than the assumption of a right paramount to the consti-

tution itself—the right on the part of the Government to destroy the instrument, and dissolve the Union from which it derives its existence. To such monstrous results must the principle on which this bill rests lead, on the supposition that the lands (that is, the territory) belong to the United States,—as is expressly declared by the constitution.

But the difficulty would not be less if they should be considered as belonging to the States, in their individual and separate character. So considered, what right can this Government possibly have over them? It is the agent, or trustee of the United States,—the States as members of a common union, and not of the States individually, each of which has a separate government of its own to represent it in that capacity. For this Government to assume to represent them in both capacities, would be to assume all power—to centralize the whole system in itself. But, admitting this bold assumption; on what principle of right or justice, if the lands really belong to the States—or, which is the same thing, if the revenue from the lands belong to them—can this Government impose the various limitations prescribed in the bill? What right has it, on this supposition, to appropriate funds belonging to the States separately, to the use of the Union, in the event of war, or in case the price of the lands should be increased above a dollar and a quarter an acre; or any article of the tariff be raised above 20 per centum ad valorem?

Such, and so overwhelming are the constitutional difficulties which beset this measure. No one who can overcome them—who can bring himself to vote for this bill—need trouble himself about constitutional scruples hereafter. He may swallow, without hesitation, bank, tariff, and every other unconstitutional measure which has been adopted or proposed. Yes; it would be easier to make a plausible argument for the constitutionality of the most monstrous of the measures proposed by the abolitionists—for abolition itself—than

for this detestable bill; and yet we find Senators from slave-holding States,—the very safety of whose constituents depends on a strict construction of the constitution,—recording their names in favor of a measure from which they have nothing to hope, and every thing to fear. To what is a course so blind to be attributed, but to that fanaticism of party zeal, openly avowed on this floor, which regards the preservation of the power of the Whig party as the paramount consideration? It has staked its existence on the passage of this and other measures for which this extraordinary session was called; and when it is brought to the alternative of their defeat or success, in the anxiety to avoid the one and secure the other, constituents, constitution, duty, and country,—all are forgotten.

A measure which would make so wide and fatal a breach in the constitution, could not but involve, in its consequences, many and disastrous changes in our political system, too numerous to be traced in a speech. It would require a volume to do them justice. As many as may fall within the scope of my remarks, I shall touch on in their proper place. Suffice it for the present to say, that such and so great would they be, as to disturb and confound the relations of all the constituent parts of our beautiful but complex system—of that between this and co-ordinate governments of the States, and between them and their respective constituencies. Let the principle of the distribution of the revenue, on which this bill rests, be established,—and it would follow, as certainly as it is now before us, that this Government and those of the States would be placed in antagonist relations on all subjects except the collection and distribution of revenue; which would end, in time, by converting this into a mere machine of collection and distribution for those of the States, to the utter neglect of all the functions for which it was created. Then the proper responsibility of each to their respective constituencies would be destroyed; then would

succeed a scene of plunder and corruption without parallel, to be followed by dissolution, or an entire change of system. Yes; if any one measure can dissolve this Union, this is that measure. The revenue is the state, said the great British statesman, Burke. With us, to divide the revenue among its members is to divide the Union. This bill proposes to divide that from the lands. Take one step more, to which this will lead if not arrested: divide the revenue from the customs, and what of union would be left? I touched more fully on this, and other important points connected with this detestable measure, during the discussions of the last session, and shall not now repeat what I then said.

What I now propose is, to trace the change it would make in our financial system, with its bearings on what ought to be the policy of the Government. I have selected it, not because it is the most important, but because it is that which has heretofore received the least attention.

This Government has heretofore been supported almost exclusively from two sources of revenue—the lands and the customs; excepting a short period at its commencement, and during the late war, when it drew a great portion of its means from internal taxes. The revenue from lands has been constantly and steadily increasing with the increase of population; and may, for the next ten years, be safely estimated to yield an annual average income of $5,000,000, if properly administered—a sum equal to more than a fourth of what the entire expenditures of the Government ought to be, with due economy, and restricted to the objects for which it was instituted.

This bill proposes to withdraw this large, permanent, and growing source of revenue, from the treasury of the Union, and to distribute it among the several States; and the question is,—Would it be wise to do so, viewed as a financial measure, in reference to what ought to be the policy of the Government? which brings up the previous question,—what

that policy ought to be? In the order of things, the question of policy precedes that of finance. The latter has reference to, and is dependent on, the former. It must first be determined what ought to be done, before it can be ascertained how much revenue will be required, and on what subject it ought to be raised.

To the question, then, What ought to be the policy of the Government? the shortest and most comprehensive answer which I can give is,—that it ought to be the very opposite of that for which this extraordinary session was called, and of which this measure forms so prominent a part. The effect of these measures is to divide and distract the country within, and to weaken it without; the very reverse of the objects for which the Government was instituted—which was to give peace, tranquillity, and harmony within, and power, security, and respectability without. We find, accordingly, that without, where strength was required, its powers are undivided. In its exterior relations—abroad,—this Government is the sole and exclusive representative of the united majesty, sovereignty, and power of the States, constituting this great and glorious Union. To the rest of the world, we are one. Neither State nor State government is known beyond our borders. Within, it is different. There we form twenty-six distinct, independent, and sovereign communities, each with its separate government, whose powers are as exclusive within, as that of this Government is without,—with the exception of three classes of powers which are delegated to it. The first is, those that were necessary to the discharge of its exterior functions—such as declaring war, raising armies, providing a navy, and raising revenue. The reason for delegating these requires no explanation. The next class consists of those powers that were necessary to regulate the exterior or international relations of the States among themselves, considered as distinct communities—powers that could not be exercised by the States separately, and the regulation of

which was necessary to their peace, tranquillity, and that free intercourse, social and commercial, which ought to exist between confederated States. Such are those of regulating commerce between the States, coining money, and fixing the value thereof, and the standard of weights and measures. The remaining class consists of those powers which, though not belonging to the exterior relations of the States, are of such nature that they could not be exercised by States separately, without one injuring the other—such as imposing duties on imports; in exercising which, the maritime States, having the advantage of good ports, would tax those who would have to draw their supplies through them. In asserting that, with these exceptions, the powers of the States are exclusive within, I speak in general terms. There are, indeed, others not reducible to either of these two classes; but they are too few and inconsiderable to be regarded as exceptions.

On the moderate and prudent exercise of these, its interior powers, the success of the Government, and with it our entire political system, mainly depends. If the Government should be restricted, in their exercise, to the objects for which they were delegated—peace, harmony, and tranquillity would reign within; and the attention of the Government unabsorbed by distracting questions within, and its entire resources unwasted by expenditures on objects foreign to its duties—would be directed with all its energy to guard against danger from without, to give security to our vast commercial and navigating interest, and to acquire that weight and respectability for our name in the family of nations which ought to belong to the freest, most enterprising, and most growing people on the globe. If thus restricted in the exercise of these, the most delicate of its powers, and in the exercise of which only it can come in conflict with the Governments of the States, or interfere with their interior policy and interest, this Government, with our whole

political system, would work like a charm, and become the admiration of the world. The States, left undisturbed within their separate spheres, and each in the full possession of its resources, would—with that generous rivalry which always takes place between clusters of free states of the same origin and language, and which gives the greatest possible impulse to improvement—carry excellence in all that is desirable beyond any former example.

But if, instead of restricting these powers to their proper objects, they should be perverted to those never intended; if, for example, that of raising revenue should be perverted into that of protecting one branch of industry at the expense of others;—that of collecting and disbursing the revenue, into that of incorporating a great central bank to be located at some favored point, and placed under local control;—and that of making appropriations for specified objects, into that of expending money on whatever Congress should think proper;—all this would be reversed. Instead of harmony and tranquillity within, there would be discord, distraction, and conflict;—followed by the absorption of the attention of the Government, and exhaustion of its means and energy on objects never intended to be placed under its control, to the utter neglect of the duties belonging to the exterior relations of the Government, and which are exclusively confided to its charge. Such has been, and ever must be, the effect of perverting these powers to objects foreign to the constitution. When thus perverted, they become unequal in their action, operating to the benefit of one part or class to the injury of another part or class,—to the benefit of the manufacturing against the agricultural and commercial portions,—or of the non-productive against the producing class. The more extensive the country, the greater would be the inequality and oppression. In ours, stretching over two thousand square miles, they would become intolerable when pushed beyond moderate limits. It is then conflicts

take place, from the struggle on the part of those who are benefited by the operation of an unequal system of legislation to retain their advantage, and on the part of the oppressed to resist it. When this state of things occurs, it is neither more nor less than a state of hostility between the oppressor and oppressed—war waged not by armies, but by laws; acts and sections of acts are sent by the stronger party on a plundering expedition, instead of divisions and brigades, which often return more richly laden with spoils than a plundering expedition after the most successful foray.

That such must be the effect of the system of measures now attempted to be forced on the Government by the perversion of its interior powers, I appeal to the voice of experience in aid of the dictates of reason. I go back to the beginning of the Government, and ask what, at its outset, but this very system of measures, caused the great struggle which continued down to 1828, when the system reached its full growth in the tariff of that year? And what, from that period to the termination of the late election which brought the present party into power, has disturbed the harmony and tranquillity of the country, deranged its currency, interrupted its business, endangered its liberty and institutions, but a struggle on one side to overthrow, and on the other to uphold the system? In that struggle it fell prostrate:—and what now agitates the country?—what causes this extraordinary session, with all its excitement, but the struggle on the part of those in power to restore the system; to incorporate a bank; to re-enact a protective tariff; to distribute the revenue from the lands; to originate another debt, and renew the system of wasteful expenditures; and the resistance on the part of the opposition to prevent it? Gentlemen talk of settling these questions; they deceive themselves. They cry Peace! peace! when there is no peace. There never can be peace till they are abandoned,

or till our free and popular institutions are succeeded by the calm of despotism ; and that not till the spirit of our patriotic and immortal ancestors, who achieved our independence and established our glorious political system, shall become extinct, and their descendants a base and sordid rabble. Till then, or till our opponents shall be expelled from power, and their hope of restoring and maintaining their system of measures is blasted,—the struggle will be continued,—the tranquillity and harmony of the country be disturbed, and the strength and resources of the Government be wasted within, and its duties neglected without.

But, of all the measures which constitute this pernicious system, there is not one more subversive of the objects for which the Government was instituted,—none more destructive of harmony within, and security without, than that now under consideration. Its direct tendency is to universal discord and distraction ; to array the new States against the old, the non-indebted against the indebted, the staple against the manufacturing ; one class against another ; and, finally, the people against the Government. But I pass these. My object is not to trace political consequences ; but to discuss the financial bearings of this measure, regarded in reference to what ought to be the policy of the Government ; which I trust I have satisfactorily shown ought to be, to turn its attention, energy, and resources, from within to without,—to its appropriate and exclusive sphere,—that of guarding against danger from abroad ; giving free scope and protection to our commerce and navigation, and that elevated standing to the country, to which it is so fairly entitled in the family of nations. It becomes necessary to repeat, preparatory to what I propose, that the object of this measure is to withdraw the revenue from the public lands from the treasury of the Union, to be divided among the States ; that the probable annual amount that would be so withdrawn, would average, during the next ten years, not less

than $5,000,000; and that, to make up the deficit, an equal sum must be laid on the imports. Such is the measure, regarded as one of finance; and the question is, Would it be just, wise, or expedient, considered in its bearings on what ought to be the policy of the Government?

The measure, on its face, is but a surrender of one of the two sources of revenue to the States,—to be divided among them in proportion to their joint delegation in the two Houses of Congress, and to impose a burden to an equal amount on the imports; that is, on the foreign commerce of the country. In every view I can take, it is preposterous, unequal, and unjust. Regarded in its most favorable aspect—that is, on the supposition that the people of each State would pay back to the treasury of the Union, through the tax on the imports, in order to make up the deficit, a sum equal to that received by the State as its distributive share; and that each individual would receive, of that sum, an amount equal to what he paid of the taxes; what would that be, but the folly of giving with one hand and taking back with the other? It would, in fact, be worse. The labour of giving and taking back must be paid for, which, in this case, would be one not a little expensive and troublesome. The expense of collecting the duties on imports is known to be about 10 per cent.; to which must be added the expense and trouble of distribution, with the loss of the use of the money while the process is going on, which may be fairly estimated at 2 per cent. additional; making in all, 12 per cent. for the cost of the process. It follows that the people of the State, in order to return back to the treasury of the Union an amount equal to the sum received by distribution, would have each to pay, by the supposition, 12 per cent. more of taxes than their share of the sum distributed. This sum (equal to $600,000 on $5,000,000) would go to the collectors of the taxes—the custom-house officers—for their share of the public spoils.

But it is still worse. It is unequal and unjust, as well as foolish and absurd. The case supposed would not be the real state of the facts. It would be scarcely possible so to arrange a system of taxes, under which the people of each State would pay back a sum just equal to that received; much less that the taxes should fall on each individual in the State in the same proportion that he would receive of the sum distributed to the State. But, if this were possible, it is certain that no system of taxes on imports—especially the bill sent from the other House—can make such equalization. So far otherwise, I hazard nothing in asserting that the staple States would pay into the treasury, under its operation, three times as much as they would receive, on an average, by the distribution,—and some of them far more: while to the manufacturing States, if we are to judge from their zeal in favor of the bill, the duties it proposes to impose would be bounties, not taxes. If judged by their acts, both measures—the distribution and the duties—would favor their pockets. They would be gainers, let who might be losers, in this financial game.

But be the inequality greater or less than my estimate, what could be more unjust than to distribute a common fund, in a certain proportion, among the States, and to compel the people of the States to make up the deficit in a different proportion; so that some shall pay more, and others less, than what they respectively received? What is it but a cunningly devised scheme to take from one State, and to give to another—to replenish the treasury of some of the States from the pockets of the people of the others; in reality, to make them support the Governments, and pay the debts of other States as well as their own? Such must be the necessary result, as between the States which may pay more than they receive, and those which may receive more than they pay. The injustice and inequality will increase or decrease, just in proportion to the respective ex-

cess or deficit between receipts and payments, under this flagitious contrivance for plunder.

But I have not yet reached the extent of this profligate and wicked scheme. As unequal and unjust as it would be between State and State, it is still more so regarded in its operation between individuals. It is between them its true character and hideous features fully disclose themselves. The money to be distributed would not go to the people, but to the legislatures of the States; while that to be paid in taxes to make up the deficiency, would be taken from them individually. A small portion only of that which would go to the legislatures would ever reach the pockets of the people. It would be under the control and management of the dominant party in the legislature, and they under the control and management of the leaders of the party. That it would be administered to the advantage of themselves, and their friends and partisans, and that they would profit more by their use and management of an irresponsible fund, taken from nobody knows who, than they would lose as payers of the taxes to supply its place, will not be doubted by any one who knows how such things are managed. What would be the result? The whole of the revenue from the immense public domain would, if this wicked measure should become the settled policy, go to the profit and aggrandizement of the leaders, for the time, of the dominant party in the twenty-six State Legislatures, and their partisans and supporters; that is, to the most influential, if not the most wealthy, clique for the time in the respective States; while the deficiency would be supplied from the pockets of the great mass of the community, by taxes on tea, coffee, salt, iron, coarse woollens, and, for the most part, other necessaries of life. And what is this but taking from the many and giving to the few,—taking from those who look to their own means and industry for the support of themselves and families, and giving to those who look to

the Government for support?—to increase the profit and influence of political managers and their partisans, and diminish that of the people? When it is added, that the dominant party in each State, for the time, would have a direct interest in keeping up and enlarging this pernicious fund, and that their combined influence must, for the time, be irresistible, it is difficult to see by what means the country can ever extricate itself from this measure, should it be once established,—or what limits can be prescribed to its growth, or the extent of the disasters which must follow. It contains the germ of mighty and fearful changes, if it be once permitted to shoot its roots into our political fabric, unless, indeed, it should be speedily eradicated.

In what manner the share that would fall to the States would, in the first instance, be applied, may, for the most part, be anticipated. The indebted States would probably pledge it to the payment of their debts; the effect of which would be, to enhance their value in the hands of the holders —the Rothschilds, the Barings, the Hopes, on the other side the Atlantic, and wealthy brokers and stock-jobbers on this. Were this done at the expense of the indebted States, none could object. But far different is the case when at the expense of the Union, by the sacrifice of the noble inheritance left by our ancestors; and when the loss of this great and permanent fund must be supplied from the industry and property of a large portion of the community, who had no agency or responsibility in contracting the debts, or benefit from the objects on which the funds were expended. On what principle of justice, honor, or constitution, can this Government interfere, and take from their pockets to increase the profit of the most wealthy individuals in the world.

The portion that might fall to the States not indebted,—or those not so deeply so,—would probably for the most part be pledged as a fund on which to make new loans for new schemes similar to those for which the existing State debt

were contracted. It may not be applied so at first ; but such would most likely be the application on the first swell of the tide of expansion. Supposing one-half of the whole sum to be derived from the lands should be so applied : estimating the income from that source at five millions, the half would furnish the basis of a new debt of forty or fifty millions. Stock to that amount would be created ; would find its way to foreign markets ; and would return, as other stocks of like kind have, in swelling the tide of imports in the first instance, but in the end by diminishing them to an amount equal to the interest on the sum borrowed, and cutting off in the same proportion the permanent revenue from the customs ;—and this, when the whole support of the Government is about to be thrown exclusively on the foreign commerce of the country. So much for the permanent effects, in a financial view, of this measure.

The swelling of the tide of imports, in the first instance, from the loans, would lead to a corresponding flush of revenue, and that to extravagant expenditures, to be followed by embarrassment of the treasury, and a glut of goods, which would bring on a corresponding pressure on the manufacturers ; when my friend from Massachusetts (Mr. Bates), and other Senators from that quarter, would cry out for additional protection, to guard against the necessary consequences of the very measure they are now so urgently pressing through the Senate. Such would be the consequences of this measure, regarded as one of finance, and in reference to its internal operation. It is not possible but that such a measure, so unequal and unjust between State and State, section and section—between those who live by their own means and industry, and those who live or expect to live on the public crib [illegible] greatly to that discord and strife within and [illegible]out, which is necessarily consequent on the en- measures of which it forms a part.

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In what manner the share that would fall to the States would, in the first instance, be applied, may, for the most part, be anticipated. The indebted States would probably pledge it to the payment of their debts; the effect of which would be, to enhance their value in the hands of the holders —the Rothschilds, the Barings, the Hopes, on the other side the Atlantic, and wealthy brokers and stock-jobbers on this. Were this done at the expense of the indebted States, none could object. But far different is the case when at the expense of the Union, by the sacrifice of the noble inheritance left by our ancestors; and when the loss of this great and permanent fund must be supplied from the industry and property of a large portion of the community, who had no agency or responsibility in contracting the debts, or benefit from the objects on which the funds were expended. On what principle of justice, honor, or constitution, can this Government interfere, and take from their pockets to increase the profit of the most wealthy individuals in the world.

The portion that might fall to the States not indebted,—or those not so deeply so,—would probably for the most part be pledged as a fund on which to make new loans for new schemes similar to those for which the existing State debts

were contracted. It may not be applied so at first ; but such would most likely be the application on the first swell of the tide of expansion. Supposing one-half of the whole sum to be derived from the lands should be so applied : estimating the income from that source at five millions, the half would furnish the basis of a new debt of forty or fifty millions. Stock to that amount would be created ; would find its way to foreign markets ; and would return, as other stocks of like kind have, in swelling the tide of imports in the first instance, but in the end by diminishing them to an amount equal to the interest on the sum borrowed, and cutting off in the same proportion the permanent revenue from the customs ;—and this, when the whole support of the Government is about to be thrown exclusively on the foreign commerce of the country. So much for the permanent effects, in a financial view, of this measure.

The swelling of the tide of imports, in the first instance, from the loans, would lead to a corresponding flush of revenue, and that to extravagant expenditures, to be followed by embarrassment of the treasury, and a glut of goods, which would bring on a corresponding pressure on the manufacturers ; when my friend from Massachusetts (Mr. Bates), and other Senators from that quarter, would cry out for additional protection, to guard against the necessary consequences of the very measure they are now so urgently pressing through the Senate. Such would be the consequences of this measure, regarded as one of finance, and in reference to its internal operation. It is not possible but that such a measure, so unequal and unjust between State and State, section and section—between those who live by their own means and industry, and those who live or expect to live on the public crib —would add greatly to that discord and strife within and weakness without, which is necessarily consequent on the entire system of measures of which it forms a part.

But its mischievous effects on the exterior relations of the

country would not be limited to its indirect consequences. There it would strike a direct and deadly blow, by withdrawing entirely from the defences of the country one of the only two sources of our revenue, and that much the most permanent and growing. It is now in the power of Congress to pledge permanently this great and increasing fund to that important object—to completing the system of fortifications, and building, equipping, and maintaining a gallant navy. It was proposed to strike out the whole bill; to expunge the detestable project of distribution; and to substitute in its place the revenue from the public lands, as a permanent fund, sacred to the defences of the country. And from what quarter did this patriotic and truly statesmanlike proposition come? From the far and gallant West; from a Senator (Mr. Linn) of a State the most remote from the ocean, and secure from danger. And by whom was it voted down? Strange to tell, by Senators from maritime States—States most exposed, and having the deepest interest in the measure defeated by their representatives on this floor! Wonderful as it may seem, Louisiana, Mississippi, Georgia, and South Carolina, each gave a vote against it. North Carolina, Virginia, Maryland, Delaware, and New Jersey, gave each two votes against it. New-York gave one; and every vote from New England, but two from New Hampshire and one from Maine, was cast against it. Be it remembered in all after times, that these votes from States so exposed, and having so deep a stake in the defence of the country, were cast in favor of distribution—of giving gratuitously a large portion of the fund from the public domain to wealthy British capitalists, and against the proposition for applying it permanently to the sacred purpose of defending their own shores from insult and danger. How strange that New-York and New England, with their hundreds of millions of property, and so many thousands of hardy and enterprising sailors annually afloat, should give so large a vote for a mea-

sure above all others best calculated to withdraw protection from both, and so small a vote against one best calculated to afford them protection! But, strange as this may be, it is still more strange that the staple States,—the States that will receive so little from distribution, and which must pay so much to make up the deficiency it will cause—States so defenceless on their maritime frontier—should cast so large a vote for their own oppression, and against their own defence! Can folly, can party infatuation—be the cause one or both—go further?

Let me say to the Senators from the commercial and navigating States, in all soberness,—there is now a warm and generous feeling diffused throughout the whole Union in favor of the arm of defence with which your interest and glory are so closely identified. Is it wise, by any act of yours, to weaken or alienate such feelings? And could you do an act more directly calculated to effect it? Remember, it is a deep principle of our nature not to regard the safety of those who do not regard their own. If you are indifferent to your own safety, you must not be surprised if those less interested should become more so.

But, as much as the defences of the country would be weakened directly by the withdrawal of so large a fund, the blow would be by no means so heavy as that which, in its consequences, would fall on them. It would paralyze the right arm of power. To understand fully how it would have this effect, we must look, not only to the amount of the sum to be withdrawn, but also on what the burden would fall to make up the deficiency. It would fall on the commerce of the country, exactly where it would do most to cripple the means of defence. To illustrate the truth of what I state, it will be necessary to inquire,—What would be our best system of defence? And this would involve the prior question,—From what quarter are we most exposed to danger? With this, I shall accordingly begin.

There is but one nation on the globe from which we have any thing serious to apprehend; but that is the most powerful that now exists, or ever did exist. I refer to Great Britain. She is in effect our near neighbor, though the wide Atlantic divides us. Her colonial possessions stretch along the whole extent of our eastern and northern borders, from the Atlantic to the Pacific ocean. Her power and influence extend over the numerous Indian tribes scattered along our western border, from our northern boundary to the infant republic of Texas. But it is on our maritime frontier, extending from the mouth of the Sabine to that of the St. Croix—a distance, with the undulations of the coast, of thousands of miles, deeply indented with bays and navigable rivers, and studded with our great commercial emporiums;—it is there, on that long line of frontier, that she is the most powerful, and we the weakest and most vulnerable. It is there she stands ready, with her powerful navy, sheltered in the commanding positions of Halifax, Bermuda, and the Bahamas, to strike a blow at any point she may select on this long line of coast. Such is the quarter from which only we have danger to apprehend; and the important inquiry which next presents itself is, How can we best defend ourselves against a power so formidable, thus touching us on all points, except the small portion of our boundary along which Texas joins us?

Every portion of our extended frontier demands attention, inland as well as maritime; but with this striking difference:—that, on the former, our power is as much greater than hers, as hers is greater than ours on the latter. There we would be the assailant, and whatever works may be erected there ought to have reference to that fact, and look mainly to protecting important points from sudden seizure and devastation, rather than to guard against any permanent lodgment of a force within our borders.

The difficult problem is the defence of our maritime frontier. This, of course, must consist of fortifications and a

navy; but the question is,—which ought to be mainly relied on, and to what extent the one may be considered as superseding the other? On both points I propose to make a few remarks.

Fortifications, as a means of defence, are liable to two formidable objections, either of which is decisive against them as an exclusive system. The first is, that they are purely defensive. Let the system be ever so perfect,—the works located to the greatest advantage, and planned and constructed in the best manner,—and all they can do is to repel attack. They cannot assail. They are like a shield without a sword. If they should be regarded as sufficient to defend our maritime cities, still they cannot command respect, of give security to our widely spread and important commercial and navigating interests.

But regarded simply as the means of defence, they are defective. Fortifications are nothing without men to garrison them; and if we should have no other means of defence, Great Britain could compel us—with a moderate fleet stationed at the points mentioned, and with but a small portion of her large military establishment—to keep up on our part, to guard our coast, ten times the force, at many times the cost, to garrison our numerous forts. Aided by the swiftness of steam, she could menace, at the same time, every point of our coast; while we, ignorant of the time or point where the blow might fall, would have to stand prepared, at every moment and at every point, to repel her attack. A hundred thousand men constantly under arms would be insufficient for the purpose; and we would be compelled to yield, in the end, ingloriously, without striking a blow, simply from the exhaustion of our means.

Some other mode of defence, then, must be sought. There is none other but a navy. I, of course, include steam as well as sails. If we want to defend our coast and protect our rights abroad, it is absolutely necessary. The only ques-

tions are, how far our naval force ought to be carried; and to what extent it would supersede the system of fortification?

Before I enter on the consideration of this important point, I owe it to myself and the subject to premise,—that my policy is peace, and that I look to the navy but as the right arm *of defence,—not as an instrument of conquest or aggrandizement.* Our road to greatness, as I said on a late occasion, lies not over the ruins of others. Providence has bestowed on us a new and vast region, abounding in resources beyond any country of the same extent on the globe. Ours is a peaceful task—to improve this rich inheritance; to level its forests; cultivate its fertile soil; develope its vast mineral resources; give the greatest rapidity and facility of intercourse between its widely-extended parts; stud its wide surface with flourishing cities, towns, and villages; and spread over it richly-cultivated fields. So vast is our country, that generations after generations may pass away in executing this task, during the whole of which time we would be rising more surely and rapidly in numbers, wealth, greatness, and influence, than any other people have ever done by arms. But, to carry out successfully this, our true plan of acquiring greatness and happiness, it is not of itself sufficient to have peace and tranquillity within. These are indeed necessary, in order to leave the States and their citizens in the full and undisturbed possession of their resources and energy, by which to work out, in generous rivalry, the high destiny which certainly awaits our country if we should be but true to ourselves. But, as important as they may be, it is not much less so to have safety against external danger, and the influence and respectability abroad necessary to secure our exterior interests and rights (so important to our prosperity) against aggression. I look to a navy for these objects; and it is within the limits they assign I would confine its growth. To what extent, then, with these views, ought our navy to be carried? In my opinion, any navy less than that which

would give us the habitual command of our own coast and seas, would be little short of useless. One that could be driven from sea and kept in harbor by the force which Great Britain could safely and constantly allot to our coast, would be of little more service than an auxiliary aid to our fortifications in defending our harbors and maritime cities. It would be almost as passive as they are; and would do nothing to diminish the expense, which I have shown would be so exhausting, to defend the coast exclusively by fortifications.

But the difficult question still remains to be solved—What naval force would be sufficient for that purpose? It will not be expected that I should give more than a conjectural answer to such a question. I have neither the data nor the knowledge of naval warfare to speak with any thing like precision; but I feel assured that the force required would be far less than what would be thought when the question is first propounded. The very idea of defending ourselves on the ocean against the immense power of Great Britain on that element, has something startling at the first blush. But, as greatly as she outnumbers us in ships and naval resources, we have advantages that countervail this, in reference to the subject in hand. If she has many ships, she has also many points to guard, and these as widely separated as are the parts of her widely extended empire. She is forced to keep a home fleet in the channel,—another in the Baltic,—another in the Mediterranean,—one beyond the Cape of Good Hope, to guard her important possessions in the East,—and another in the Pacific. Our situation is the reverse. We have no foreign possessions, and not a point to guard beyond our own maritime frontier. There our whole force may be concentrated, ready to strike whenever a vulnerable point is exposed. If to these advantages be added, that both France and Russia have large naval forces; that between us and them there is no point of conflict; that they

both watch the naval supremacy of Great Britain with jealousy; and that nothing is more easy than for us to keep on good terms with both powers, especially with a respectable naval force at our command;—it will be readily perceived that a force far short of that of Great Britain would effect what I contemplate. I would say a force equal to one-third of hers would suffice; but if not, certainly less than half would. And if so, a naval force of that size would enable us to dispense with all fortifications, except at important points, and such as might be necessary in reference to the navy itself, to the great relief of the treasury, and saving of means to be applied to the navy, where it would be far more efficient. The less considerable points might be safely left to the defence of cheap works, sufficient to repel plundering attacks; as no large fleet, such as would be able to meet us, with such a naval force as that proposed, would ever think of disgracing itself by attacking places so inconsiderable.

Assuming, then, that a navy is indispensable to our defence, and that one less than that supposed would be in a great measure useless, we are naturally led to look into the sources of our naval power preparatory to the consideration of the question, how they will be affected by imposing on commerce the additional burden this bill would make necessary.

Two elements are necessary to naval power—sailors and money. A navy is an expensive force, and is only formidable when manned with regularly bred sailors. In our case, both of these depend on commerce. Commerce is indispensable to form a commercial marine, and that to form a naval marine; while commerce is with us, if this bill should pass, the only source of revenue. A flourishing commerce is, then, in every respect, the basis of our naval power; and to cripple commerce is to cripple that power—to paralyze the right arm of our defence. But the imposition of onerous duties on commerce is the most certain way to cripple it. Hence,

this detestable and mischievous measure, which surrenders the only other source of revenue, and throws the whole burden of supporting the Government exclusively on commerce, aims a deadly blow at the vitals of our power.

The fatal effect of high duties on commerce is no longer a matter of speculation. The country has passed recently through two periods—one of protective tariffs and high duties, and the other of a reduction of duties; and we have the effects of each in our official tables, both as it regards our tonnage and commerce. They speak a language not to be mistaken, and far stronger than any one could anticipate who has not looked into them, or made himself well acquainted with the powerful operation of low duties in extending navigation and commerce. As much as I had anticipated from the reduction of the duties, the lightening of the burdens of commerce has greatly exceeded my most sanguine expectation.

I shall begin with the tonnage, as more immediately connected with naval power; and, in order to show the relative effects of high duties and low on our navigation, I shall compare the period from 1824, when the first great increase of protective duties took place, to 1830, inclusive, when the first reduction of duties commenced. During these seven years, which include the operation of the two protective tariffs of 1824 and 1828,—that is, the reign of the high protective tariff system,—our foreign tonnage fell off from 639,972 tons to 576,475, equal to 61,497; our coasting tonnage from 719,190 to 615,310, equal to 103,880 tons—making the falling off in both equal to 165,370 tons. Yes; to that extent (103,880) did our coasting tonnage decline—the very tonnage, the increase of which it was confidently predicted by the protective party would make up for every possible loss in our foreign tonnage from their miserable quack system. Instead of that, the falling off in the coasting trade is even greater than in the foreign; proving clearly

that high duties are not less injurious to the home than to the foreign trade.

I pass now to the period (I will not say of free trade—it is far short of that) of reduction of high protective duties; and now mark the contrast between the two. I begin with the year 1831, the first after the reduction was made on a few articles (principally coffee and tea), and will take in the entire period down to the last returns—that of 1840—making a period of ten years. This period includes the great reduction under the Compromise Act, which is not yet completed, and which, in its further progress, would add greatly to the increase, if permitted to go through undisturbed. The tonnage in the foreign trade increased during that period from 576,475 tons to 899,764, equal to 323,288 tons—not much less than two-thirds of the whole amount at the commencement of the period; and the coasting, for the same period, increased from 615,310 to 1,280,999, equal to 665,699 tons—more than double; and this, too, when, according to the high tariff doctrine, our coasting trade ought to have fallen off, instead of increasing (in consequence of the reduction of the duties): and thus incontestably proving that low duties are not less favorable to our domestic than to our foreign trade. The aggregate tonnage for the period has increased from 1,191,776 to 2,180,763—nearly doubled. Such and so favorable to low duties, in reference to tonnage, is the result of the comparison between the two periods.

The comparison in reference to commerce will prove not less so. In making the comparison, I shall confine myself to the export trade, not because it gives results more favorable,—for the reverse is the fact,—but because the heavy loans contracted by the States during the latter period (between 1830 and 1841) gave a factitious increase to the imports, which would make the comparison appear more favorable than it ought in reality to be. Their effects were

different on the exports. They tended to decrease rather than increase their amount. Of the exports, I shall select domestic articles only because they only are affected by the rate of the duties, as the duties on foreign articles, paid or secured by bond on their importation, are returned on re-shipment. With these explanatory remarks, I shall now proceed to the comparison.

The amount in value of domestic articles exported for 1825 was $66,944,745, and in the year 1830 $59,462,029; making a falling off, under the high tariff system, during that period, of $7,482,718. Divide the period into two equal parts, of three years each, and it will be found that the falling off in the aggregate of the latter part, compared to the former, is $13,090,255; showing an average annual decrease of $4,963,418 during the latter part, compared with the former.

The result will be found very different on turning to the period from 1830, when the reduction of the duties commenced, to 1840, during the whole of which the reduction has been going on. The value of domestic exports for 1831 was $61,277,057, and for 1840 $113,895,634, making a difference of $52,618,577, equal to 83 per cent. (omitting fractions) for the ten years. If the period be divided into two equal parts, of five years each, the increase of the latter, compared to the former, will be found to be $139,089,371; making an average annual increase for the latter period (from 1835 to 1840) of $27,817,654. This rapid increase began with the great reduction under the Compromise Act of 1833. The very next year after it passed, the domestic exports rose from $81,034,162 to $101,189,082—just like the recoil which takes place when the weight is removed from the spring.

But my friends from the manufacturing States will doubtless say that this vast increase of exports from reduction of duties was confined to the great agricultural staples, and

that the effects were the reverse as to the export of domestic manufactures. With their notion of protection, they cannot be prepared to believe that low duties are favorable to them. I ask them to give me their attention, while I show how great their error is. So far from not partaking of this mighty impulse from the reduction, they felt it more powerfully than other articles of domestic exports, as I shall now proceed to show from the tables.

The exports of domestic manufactures during the period from 1824 to 1832, inclusive,—that is, the period of the high protective duties under the tariffs of 1824 and 1828,—fell from $5,729,797 to $5,050,633, making a decline of $679,133 during that period. This decline was progressive, and nearly uniform, from year to year, through the whole period. In 1833 the Compromise Act was passed, which reduced the duties at once nearly half, and has since made very considerable progressive reductions. The exports of domestic manufactures suddenly, as if by magic, sprung forward, and have been rapidly and uniformly increasing ever since; having risen, in the eight years from 1832 to 1840, from $505,633 to $12,108,538,—a third more than double in that short period, and that immediately following a great decline in the preceding period of eight years, under high duties.

Such were the blighting effects of high duties on the tonnage and the commerce of the country, and such the invigorating effects of their reduction. There can be no mistake. The documents from which the statements are taken are among the public records, and open to the inspection of all. The results are based on the operations of a series of years, showing them to be the consequence of fixed and steady causes, and not accidental circumstances; while the immediate and progressive decrease and increase of tonnage, both coastwise and foreign, and of exports, including manufactured as well as other articles, with the laying on of high duties, and the commencement and progress of their reduction,

point out, beyond all controversy, *high duties to be the cause of one, and reduction—low duties—that of the other.*

It will be in vain for the advocates of high duties to seek for a different explanation of the cause of these striking and convincing facts in the history of the two periods. The first of these, from 1824 to 1832, is the very period when the late Bank of the United States was in the fullest and most successful operation;—when exchanges, according to their own showing, were the lowest and most steady, and the currency the most uniform and sound; and yet, with all these favorable circumstances, which they estimate so highly, and with no hostile cause operating from abroad, our tonnage and commerce, in every branch on which the duties could operate, fell off. On the contrary, during the latter period, when all the hostile causes which they are in the habit of daily denouncing on this floor, and of whose disastrous consequences we have heard so many eloquent lamentations;—yes, in spite of contractions and expansions; in spite of tampering with the currency and the removal of the deposits; in spite of the disordered state of the whole machinery of commerce; the deranged state of the currency, both at home and abroad; in spite of the state of the exchanges, and of what we are constantly told of the agony of the country;—both have increased, rapidly increased,—increased beyond all former example! Such is the overpowering effect of removing weights from the springs of industry, and striking off shackles from the free exchange of products, as to overcome all adverse causes.

Let me add, Mr. President, that of this highly prosperous period to industry (however disastrous to those who have over-speculated, or invested their funds in rotten and swindling institutions), the most prosperous of the whole, as the tables will show, is that during the operation of the Sub-Treasury,—a period when some progress was made towards the restoration of the currency of the constitution. In spite

of the many difficulties and embarrassments of that trying period, the progressive reduction of the duties, and the gradual introduction of a sounder currency, gave so vigorous a spring to our industry as to overcome them all; showing clearly, if the country was blessed with the full and steady operation of the two, under favorable circumstances, that it would enjoy a degree of prosperity exceeding what even the friends of that measure anticipated.

Having now shown that the navy is the right arm of our defence; that it depends on commerce for its resources, both as to men and means; and that high duties destroy the growth of our commerce, including navigation and tonnage; I have, I trust, satisfactorily established the position which I laid down,—that this measure, which would place the entire burden of supporting the Government on commerce, would paralyze the right arm of our power. Vote it down, and leave commerce as free as possible; and it will furnish ample resources, skilful and gallant sailors, and an overflowing treasury, to repel danger far from our shores, and maintain our rights and dignity in our external relations. With the aid of the revenue from land, and proper economy, we might soon have ample means to enlarge our navy to that of a third of the British, with duties far below the limits of 20 per cent. prescribed by the Compromise Act. The annual appropriation, or cost of the British navy, is about $30,000,000. Ours, with the addition of the appropriation for the home squadron made this session, is (say) $6,000,000; requiring only the addition of four millions to make it equal to a third of that of Great Britain, provided that we can build, equip, man, and maintain ours as cheaply as she can hers. That we can, with proper management, can scarcely be doubted, when we reflect that our navigation, which involves almost all the elements of expense that a navy does, successfully competes with hers over the world. Nor are we deficient in men—gallant and hardy sailors—to man a navy on as large

a scale as is suggested. Already our tonnage is two-thirds of that of Great Britain, and will in a short time approach an equality with hers, if our commerce should be fairly treated. Leave, then, in the treasury, the funds proposed to be withdrawn by this detestable bill; apply it to the navy and defences of the country; and even at its present amount, with small additional aid from the imposts, it will give the means of raising it, with the existing appropriation, to the point suggested; and with the steady increase of the fund from the increased sales of lands, keeping pace with the increase of our population, and the like increase of commerce under a system of light and equal duties, we may, with proper economy in the collection and disbursements of the revenue, raise our navy steadily, without feeling the burden, to half the size of the British,—or more, if more be needed for defence and the maintenance of our rights. Beyond this, we ought never to aim.

I have (said Mr. C.) concluded what I proposed to say. I have passed over many and weighty objections to this measure which I could not bring within the scope of my remarks, without exhausting the patience of the body. And now, Senators, in conclusion, let me entreat you, in the name of all that is good and patriotic—in the name of our common country and the immortal fathers of our Revolution and founders of our Government—to reject this dangerous bill. I implore you to pause and ponder before you give your final vote for a measure which, if it should pass and become a permanent law, would do more to defeat the ends for which this Government was instituted, and to subvert the constitution and destroy the liberty of the country, than any which has ever been proposed.

SPEECH

On the Treasury Note Bill, delivered in the Senate, January 25th, 1842.

Mr. Calhoun said: There was no measure that required greater caution, or more severe scrutiny, than one to impose taxes or raise a loan, be the form what it may. I hold that Government has no right to do either, except when the public service makes it imperiously necessary,—and then only to the extent that it requires. I also hold that the expenditures can only be limited by limiting the supplies. If money is granted, it is sure to be expended. Thus thinking, it is a fundamental rule with me not to vote for a loan or tax bill till I am satisfied it is necessary for the public service; and then not if the deficiency can be avoided by lopping off unnecessary objects of expenditure, or the enforcement of an exact and judicious economy in the public disbursements. Entertaining these opinions, it was in vain that the Chairman of the Finance Committee pointed to the estimates of the year, as a sufficient reason for the passage of this bill as amended. Estimates are too much a matter of course to satisfy me in a case like this. I have some practical knowledge of the subject, and know too well how readily old items are put down, from year to year, without much inquiry, whether they can be dispensed with or reduced,—and new ones inserted without much more reflection,—to put much reliance on them. To satisfy me, the Chairman must do what he has not even attempted; he must state satisfactorily the reasons for every new item, and the increase of every old one,—and show that the deficiency cannot be avoided by retrenchment and economy. Until he does this, he has no right to call on us to vote this heavy additional charge of $5,000,000 on the people, especially at such a period of unexampled pecuniary

embarrassment. Having omitted to perform this duty, I have been constrained to examine for myself the estimates in a very hasty manner, with imperfect documents, and no opportunity of deriving information from the respective departments. But with all these disadvantages, I have satisfied myself that this loan is unnecessary—that its place may be supplied, and more than supplied, by retrenchment and economy, and the command of resources in the power of the Government, without materially impairing the efficiency of the public service;—my reasons for which I shall now proceed to state.

The estimate of the Secretary of the Treasury for the expenditures of the year, is $32,997,258,—or, in round numbers, $33,000,000, embraced under the following heads: the civil list, including foreign intercourse and miscellaneous, amounting to $4,000,987 37; military, in all its branches, $11,717,791 83; navy, $8,705,579 83; permanent appropriations, applicable to the service of the year, $1,572,906, and treasury notes to be redeemed, $7,000,000.

Among the objects of retrenchment, I place at the head the great increase that is proposed to be made in the expenditures of the navy, compared with those of last year. It is no less than $2,508,032 13, taking the expenditures of last year from the annual report of the Secretary. I see no sufficient reason, at this time, and in the present embarrassed condition of the treasury, for this great increase. I have looked over the report of the Secretary hastily, and find none assigned, except general reasons, for an increased navy, which I am not disposed to controvert. But I am decidedly of the opinion, that the commencement ought to be postponed till some systematic plan is matured, both as to the ratio of increase, and the description of force of which the addition should consist, — and till the department is properly organized, and in a condition to enforce exact responsibility and economy in its disbursements. That the department is

not now properly organized, and in this condition, we have the authority of the Secretary himself, in which I concur. I am satisfied that its administration cannot be made effective under the present organization,—particularly as it regards its expenditures. I have very great respect for the head of the department, and confidence in his ability and integrity. If he would hear the voice of one who wishes him well, and who takes the deepest interest in the branch of service of which he is the chief, my advice would be, to take time; to look about; to reorganize the department in the most efficient manner, on the staff principle, and to establish the most rigid accountability and economy in the disbursements, before the great work of a systematic increase is commenced. Till this is done, add not a dollar to the expenditure. Make sure of the foundation before you begin to rear the superstructure. I am aware that there will be a considerable increase this year in the navy, compared with the expenditure of last year, in consequence of the acts of the extraordinary session. This may deduct several hundred thousand dollars from the amount I propose to retrench; but I cannot doubt that, by an improved administration of the moneyed affairs of the department, with the very great reduction in prices and wages, a saving may be made more than sufficient to make up for that deduction. In speaking of improved administration, I comprehend the marine corps. And here I deem it my duty to remark, that the estimates for this branch of the service appear to me to be very large. The corps is estimated at one thousand privates, and its aggregate expense at $502,292. This strikes me to be far too large for so small a corps,—of long standing,—stationed at convenient and cheap points, and at a period when the price of provisions, clothing, and all other articles of supply is low. A large portion, I observe, is for barracks, which, if proper at all, surely may be postponed till the finances are placed in better condition.

I shall now pass from the naval to the military department; and here I find an estimate of $1,508,032 13, for harbors, creeks, and the like. I must say that I am surprised at this estimate. All who have been members of the Senate for the last eight or ten years, must be familiar with the history of this item of expenditure. It is one of the branches of the old, exploded American system, and almost the only one which remains. It has never been acquiesced in, and was scarcely tolerated when the treasury was full to overflowing with the surplus revenue. Of all the extravagant and lawless appropriations of the worst of times, I have ever regarded it as the most objectionable—unconstitutional, local in its character, and unequal and unjust in its operation. Little did I anticipate that such an item, and of so large an amount, would, at this time, be found in the estimates, when the treasury is deeply embarrassed,—the credit of the Government impaired,—and the revenue from the lands surrendered to the States and territories. Such an item, at such a period, looks like infatuation; and I hope the Committee on Finance, when it comes to take up the estimates, will strike it out. It certainly ought to be expunged; and I shall accordingly place it among the items that ought to be retrenched.

Passing to the Treasury Department, I observe an estimate of $43,932, for surveys of public lands; and under the head of "balances of appropriations on the 31st December, 1841, required to be expended in 1842," $200,000 for the same object, making, together, $243,932, which ought either not to be in the estimates, or, if put there, ought to be credited in the receipts of the year. The reason will be apparent, when it is stated that the Distribution Act deducts the expenses incident to the administration of the public lands, and, among others, that for surveying,—and, of course, it must be deducted from the revenue from the lands, before it is distributed among the States, and brought to the credit of the

treasury. It is, in fact, but an advance out of the land fund, to be deducted from it before it is distributed. There are several other items in the estimates connected with the expenses incident to the administration of the public lands, to which the same remarks are applicable, and which would make an additional deduction of many thousand dollars,—but the exact amount of which I have not had time to ascertain. These several items taken together, make the sum of $4,317,322 25, which may fairly be struck from the estimates. To these there are doubtless many others of considerable amount that might be added, had I the time and means for full investigation. Among them, I would call the attention of the Chairman to an item of $158,627 17, under the name of "patent fund," and comprised among the balances of appropriations on the 31st of December last, and which will be required for this year. I have not had time to investigate it, and am uninformed of its nature. I must ask the Chairman to explain. Does it mean receipts of money derived from payments for patents? If so, it ought to be passed to the treasury, and classed under the receipts of the year, and not the appropriations, unless, indeed, there be some act of Congress which has ordered otherwise. If it be an appropriation, I would ask to what is it appropriated, and to what particular objects is it to be applied this year? The Chairman will find it in page 40, of the document containing the estimates.

I would ask the Chairman, also, whether the interest on the trust funds, including both the Smithsonian and Indian, which may not be applied to the object of the trusts during the year, have been comprehended in the receipts of the year? We pay interest on them, and have the right of course to their use, till required to be paid over. The interest must be considerable. That of the former, alone, is about $30,000 annually.

I would, also, call his attention to the pension list. I ob-

serve the diminution of the number of pensioners for the last year is very considerable; and from the extreme age of the revolutionary portion, there must be a rapid diminution till the list is finally closed. I have not had time to investigate the subject sufficiently to say to what amount the treasury may be relieved from this source; but I am informed by a friend who is familiar with the subject, that a very great reduction of expenditure, say $300,000 annually for some years, may be expected under this head. Under these various heads, and others, which a careful examination might designate, I feel confident that a reduction might be made, by retrenchment in the estimates, to the amount of the sum proposed to be borrowed by this bill, as amended, without materially impairing the efficiency of the Government.

I shall next proceed to examine what reduction may be made by strict economy in the public disbursements; by which I mean, not parsimony, but that careful and efficient administration of the moneyed affairs of the Government, which guards against all abuse and waste, and applies every dollar to the object of appropriations, and that in the manner best calculated to produce the greatest result. This high duty properly appertains to the functions of the Executive, and Congress can do but little more than to urge on and sustain that department of the Government to which it belongs, in discharging it, and which must take the lead in the work of economy and reform. My object is to show, that there is ample room for the work, and that great reduction may be made in the expenditures by such an administration of the moneyed affairs of the Government as I have described. But how is this to be made apparent? Can it be done by minute examination of the various items of the estimates and expenditures? Can a general state of looseness, of abuses, or extravagance in the disbursements be detected and exposed by such examination? All attempts of the

kind have failed, and must continue to do so. It would be impracticable to extend such an inquiry through the various heads of expenditures. A single account might be selected, that would occupy a committee a large portion of a session: and after all their labor, it would be more than an even chance that they would fail to detect abuses and mismanagement, if they abounded ever so much. They lie beyond the accounts; and can only be reached by the searching and scrutinizing eyes of faithful and vigilant officers charged with the administrative supervision.

There is but one way in which Congress can act with effect in testing whether the public funds have been judiciously and economically applied to the objects for which they were appropriated; and if not, of holding those charged with their administration responsible,—and that is, by comparing the present expenditures with those of past periods of acknowledged economy, or foreign contemporaneous service of like kind. If, on such comparison, the difference appear much greater than it should be, after making due allowance, those who have the control should be held responsible to reduce them to a proper level, or to give satisfactory reasons for not doing it; and that is the course which I intend to pursue. They who now have the control, both of Congress and the Executive Department, came into power on a solemn pledge of reform; and it is but fair that they should be held responsible for the reformation of the abuses and mismanagement which they declared to exist, and the great reduction of expenses which they pledged themselves to make, if the people should raise them to power.

But I am not so unreasonable as to expect that reform can be the work of a day. I know too well the labor and the time it requires, to entertain any such opinion. All I ask is, that the work shall be early, seriously, and systematically commenced. It is to be regretted that it has not

already commenced, and that there is so little apparent inclination to begin. We had a right to expect that the Chairman of the Committee on Finance, in bringing forward a new loan of $5,000,000, would have at least undertaken to inform us, after a full survey of the estimates and expenditures, whether any reduction could be made, and, if any, to what amount, before he asked for a vote, making so great an addition to the public debt. I cannot but regard the omission as a bad omen. It looks like repudiation of solemn pledges. But what he has failed to do I shall attempt;—but in a much less full and satisfactory manner than he might have done, with all his advantages as the head of the committee. For the purpose of comparing, I shall select the years 1823 and 1840. I select the former, because it is one of the years of the second term of Mr. Monroe's administration, which, it is admitted now, administered the moneyed affairs of the Government with a reasonable regard to economy; but at that time it was thought by all to be liberal in its expenditures, and by some even profuse—as several Senators whom I now see, and who were then members of Congress, will bear witness. But I select it for a still stronger reason. It is the year which immediately preceded the first act, professedly passed on the principles of the protective policy. The intervening time between the two periods comprehends the two acts of 1824 and 1828, by which that policy was carried to such great extremes. To those acts, connected with the banking system, and the connection of the banks with the Government, is to be attributed that train of events which has involved the country and the Government in so many difficulties; and, among others, that vast increase of expenditures which has taken place since 1823, as will be shown by the comparison I am about to make.

The disbursements of the Government are comprised under three great heads: the civil list,—including foreign in-

tercourse and miscellaneous,—the military, and the navy. I propose to begin with the first, and take them in the order in which they stand.

The expenditures under the first head have increased since 1823, when they were $2,022,093, to $5,492,030 98, the amount in 1840; showing an increase, in seventeen years, of 2·7 to 1,—while the population has increased only about ¾ to 1, that is, about 75 per cent.—making the increase of expenditures, compared with the increase of population, about 3·6 to 1. This enormous increase has taken place, although a large portion of the expenditures under this head, consisting of salaries to officers and the pay of members of Congress, have remained unchanged. The next year, in 1841, the expenditure rose to $6,196,560. I am, however, happy to perceive a considerable reduction in the estimates for this year, compared with the last and several preceding years; but still leaving room for great additional reduction to bring the increase of expenditures to the same ratio with the increase of population, liberal as that standard of increase would be.

That the Senate may form some conception, in detail, of this enormous increase, I propose to go more into particulars in reference to two items:—the contingent expenses of the two Houses of Congress, and those of collecting the duties on imports. The latter, though of a character belonging to the civil list, is not included in it, or either of the other heads; as the expenses incident to collecting the customs, are deducted from the receipts, before the money is paid into the treasury.

The contingent expenses (they exclude the pay and mileage of members) of the Senate in 1823 were $12,841 07,—of which the printing cost $6,348 56, and stationery, $1,631 51; and those of the House, $37,848 95,—of which the printing cost $22,314 41, and the stationery, $3,877 71. In 1840, the contingent expenses of the Senate were $77,447 22,—of

which the printing cost $31,285 32, and the stationery $7,061 77; and those of the House, $199,219 57,—of which the printing cost $65,086 46, and the stationery, $36,352 99. The aggregate expenses of the two Houses together rose from $50,690 02, to $276,666; being an actual increase of 5·4 to 1,—and an increase, in proportion to population, of about 7·2 to 1. But enormous as this increase is, the fact that the number of members had increased not more than about ten per cent. from 1823 to 1840, is calculated to make it still more strikingly so. Had the increase kept pace with the increase of members (and there is no good reason why it should greatly exceed it), the expenditures would have risen from $50,690 to $55,759 only,—making an increase of but $5,069; but, instead of this, it rose to $276,666, making an increase of $225,970. To place the subject in a still more striking view, the contingent expenses in 1823 were at the rate of $144 per member,—which one would suppose was ample,—and in 1840, $942. This vast increase took place under the immediate eyes of Congress; and yet we were told at the extra session, by the present Chairman of the Finance Committee, that there was no room for economy, and that no reduction could be made; and even in this discussion he has intimated that little can be done. Enormous as are the contingent expenses of the two Houses, I infer from the very great increase of expenditures under the head of civil list generally, when so large a portion is for fixed salaries, which have not been materially increased for the last seventeen years, that they are not much less so throughout the whole range of this branch of the public service.

I shall now proceed to the other item, which I have selected for more particular examination,—the increased expenses of collecting the duties on imports. In 1823 it was $766,699 —equal to 3·86 per cent. on the amount collected, and ·98 on the aggregate amount of imports; and in 1840

it had increased to $1,542,319 24,—equal to 14·13 per cent. on the amount collected, and to 1·58 on the aggregate amount of the imports;—being an actual increase of nearly a million, and considerably more than double the amount of 1823. In 1839 it rose to $1,714,515.

From these facts, there can be little doubt that more than a million annually may be saved under the two items of contingent expenses of Congress and the collection of the customs,—without touching the other items comprised under the civil list, the executive and judicial departments, the foreign intercourse, light-houses, and miscellaneous. It would be safe to put down a saving of at least a half million for these.

I shall now pass to the military, with which I am more familiar. I propose to confine my remarks almost entirely to the army proper, including the Military Academy, in reference to which the information is more full and minute. I exclude the expenses incident to the Florida war, and the expenditures for the Ordnance, the Engineer, the Topographical, the Indian, and the Pension Bureaus. Instead of 1823, for which there is no official and exact statement of the expenses of the army, I shall take 1821, for which there is one made by myself, as Secretary of War, and for the minute correctness of which, I can vouch. It is contained in a report made under a call of the House of Representatives, and comprises a comparative statement of the expenses of the army proper, for the years 1818, 1819, 1820, and 1821, respectively, and an estimate of the expense of 1822. It may be proper to add (which I can with confidence), that the comparative expense of 1823, if it could be ascertained, would be found to be not less favorable than 1821. It would probably be something more so.

With these remarks I shall begin with a comparison, in the first place, between 1821 and the estimate for the army proper for this year. The average aggregate strength of the army in the year 1821, including officers, professors, cadets,

and soldiers, was 8,109,—and the proportion of officers,—including the professors of the Military Academy,—to the soldiers, including cadets, was 1 to 12·18, and the expenditure $2,180,093 53,* equal to $263 91 for each individual. The estimate for the army proper for 1842, including the Military Academy, is $4,453,370 16. The actual strength of the army, according to the return accompanying the message at the opening of the session, was 11,169. Assuming this to be the average strength for this year, and adding for the average number of the Academy, professors and cadets, 300, it will give, within a very small fraction, $390 for each individual, making a difference of $136 in favor of 1821. How far the increase of pay, and the additional expense of two regiments of dragoons, compared with other descriptions of troops, would justify this increase, I am not prepared to say. In other respects, I should suppose, there ought to be a decrease rather than an increase ; as the price of clothing, provisions, forage, and other articles of supply, as well as transportation, are, I presume, cheaper than in 1821. The proportion of officers to soldiers, I would suppose to be less in 1842 than in 1821, and, of course, as far as that has influence, the expense of the former ought to be less per man than the latter. With this brief and imperfect comparison between the expense of 1821 and the estimates for this year, I shall proceed to a more minute and full comparison between the former and the year 1837. I select that year, because the strength of the army, and the proportion of officers to men (a very material point as it relates to the expenditure) is almost exactly the same.

On turning to Document 165 (H. R. 2d sess. 26th Con.) a letter will be found from the then Secretary of War (Mr. Poinsett), giving a comparative statement, in detail, of the expense of the army proper, including the Military Academy

* See Document 38, (H. R.) 1st session, 17th Congress.

for the years 1837, 1838, 1839, and 1840. The strength of the army for the first of these years, including officers, professors, cadets, and soldiers, was 8,107,—being two less than in 1821. The proportion of officers and professors, to the cadets and soldiers, 11·46,—being ·72 more than in 1821. The expenditure for 1837, $3,308,011, being $1,127,918 more than for 1821. The cost per man, including officers, professors, cadets, and soldiers, was in 1837 $408 03, exceeding that of 1821, $144 12 per man. It appears by the letter of the Secretary, that the expenses per man rose, in 1838, to $464 35; but it is due to the head of the department, at the time, to say, that it declined under his administration, the next year, to $381 65, and in the subsequent, to $380 63. There is no statement for the year 1841; but as there has been a falling off in prices, there ought to be a proportionate reduction in the cost;—especially during the present year, when there is a prospect of so great a decline in almost every article which enters into the consumption of the army. Assuming that the average strength of the army will be kept equal to the return accompanying the President's message and that the expenditure of the year should be reduced to the standard of 1821, the expense of the army would not exceed $2,895,686,—making a difference, compared with the estimates, of $1,557,684; but this from the increase of pay, and the greater expense of the dragoons, cannot be expected. Having no certain information how much the expenses are necessarily increased from these causes, I am not prepared to say what ought to be the actual reductions; but unless the increase of pay, and the increased cost because of the dragoons are very great, it ought be very considerable.

I found the expense of the army in 1818, including the Military Academy, to be $3,702,495—a cost of $451 57 per man, including officers, professors, cadets, and soldiers; and reduced it in 1821 to $2,180,098—a cost of $263 91, and

making a difference between the two years, in the aggregate expenses of the army, of $1,522,397, and $185 66 per man. There was, it is true, a great fall in prices in the interval; but allowing for this, by adding to the price of every article entering into the supplies of the army a sum sufficient to raise it to the price of 1818, there was still a difference in the cost per man of $163 95. This great reduction was effected without stinting the service or diminishing the supplies, either in quantity or quality. They were, on the contrary, increased in both, especially the latter. It was effected through an efficient organization of the staff, and the co-operation of the able officers placed at the head of each of its divisions. The cause of the great expense at the former period, was found to be principally in the neglect of public property, and the application of it to uses not warranted by law. There is less scope, doubtless, for reformation in the army now. I cannot doubt, however, but that the universal extravagance which has pervaded the country for so many years, and which has increased so greatly the expenses both of Government and individuals, has left much room for reform in this, as well as other branches of the service.

In addition to the army, there are many other and heavy branches of expenditure embraced under the military head—fortifications, ordnance, Indians, and pensions—the expenditures of which, taken in the aggregate, greatly exceed the army; the expense of all of which, for the reason to which I have alluded, may, doubtless, be much reduced.

On turning to the navy, I have not been able to obtain information which would enable me to make a similar comparison between the two periods, in reference to that important arm of defence; but I hope, when the information is received which has been called for by the Senator from Maine (Mr. Williams), ample data will be obtained to enable me to do so on some future occasion. In place of it, I propose to give a comparative statement of the expense of

the British navy and ours for the year 1840. The information, in reference to the former, is taken from a work of authority, the Penny Cyclopedia, under the head of "Navy."

The aggregate expense of the British navy in the year 1840 amounted to 4,980,353 pounds sterling,—deducting the expense of transport for troops and convicts, which does not properly belong to the navy. This sum, at $4 80 to the pound sterling, is equal to $23,905,694 46. The navy was composed of 392 vessels of war of all descriptions, leaving out 36 steam vessels in the packet service,—and 23 sloops fitted for foreign packets. Of the 392, 98 were line-of-battle ships, of which 19 were building; 116 frigates, of which 14 were building; 68 sloops, of which 13 were building; 44 steam vessels, of which 16 were building; and 66 gun brigs, schooners, and cutters, of which 12 were building.

The effective force of the year—that which was in actual service, consisted of 3,400 officers, 3,998 petty officers, 12,846 seamen, and 9,000 marines, making an aggregate of 29,244. The number of vessels in actual service was 175, of which 24 were line-of-battle ships, 31 frigates, 30 steam vessels, and 45 gun brigs, schooners, and cutters—not including the 30 steamers and 24 sloops in the packet service,—at an average expenditure of $573 for each individual, including officers, petty officers, seamen, and marines.

Our navy is composed, at present, according to the report of the Secretary accompanying the President's message, of 67 vessels,—of which 11 are line-of-battle ships, 17 frigates, 18 sloops of war, 2 brigs, 4 schooners, 4 steamers, 3 store-ships, 3 receiving vessels, and 5 small schooners. The estimates for the year are made on the assumption, that there will be in service during the year, 2 ships of the line, 1 razee, 6 frigates, 20 sloops, 11 brigs and schooners, 3 steamers, 3 store-ships, and 8 small vessels; making in the aggregate, 53 vessels. The estimates for the year, for the navy and marine corps, as has been stated, is $8,705,579 83, considerably ex-

ceeding one-third of the entire expenditures of the British navy for 1840. I am aware that there is probably a much larger expenditure applied to the increase of the navy in our service than in the British, in proportion to the respective forces; and I greatly regret that I have not the materials to ascertain the difference, or to compare the expenses of the two navies, in the various items of building, outfit, and pay,—and the relative expenses of the two per man, per gun, and per ton. The comparison would be highly interesting, and would throw much light on the subject of these remarks. We know our commercial marine meets successfully the British in fair competition; and as the elements of the expenses of the commercial and naval marine are substantially the same, in time of peace, when impressment is disused in the British service, our navy ought not to bear an unfavorable comparison with theirs, on the score of expense. Whether it does, in fact, I am not prepared to say, with the materials I have been able to collect; but it does seem to me, when I compare the great magnitude of their naval establishment with the smallness of ours, and the aggregate expense of the two, that ours, on a full comparison, will be found to exceed theirs by far, in expense, however viewed.

I hope what I have stated will excite inquiry. It is a point of vast importance. If we can bring our expenditures to an equality, or nearly so, with hers, we may then look forward with confidence to the time, as not far distant, when, with our vast commercial marine (more than two-thirds of the British), we may, with proper economy in our disbursements, and by limiting the objects of our expenditures to those which properly belong to this Government under the constitution, place a navy on the ocean, without increase of burden on the people, that will give complete protection to our coast, and command the respect of the world. But if that cannot be done,—if our expenses must necessarily greatly exceed in proportion that of the first maritime power

in the world, it is well it should be known at once, that we may look to other means of defence, and give up what, in such case, would be a hopeless struggle. I do not believe that it will be found to be the case. On the contrary, I am impressed with the belief that our naval force ought not to cost more in proportion than the British. In some things they may have the advantage, but we will be found to have equally great in others.

From these statements it may be fairly inferred that there is great room for economy, under every head of expenditure. I am by no means prepared to say what reduction may be effected by it. It would require much more time and minute examination to determine with precision any thing like the exact amount; but it is certain that millions may be saved, simply by a judicious and strict system of economy, without impairing, in any degree, the efficiency of the Government. But in order to form a more definite conception as to the amount of this reduction, I propose to add to the aggregate expense of 1823, 75 per cent.—the estimated increase of the population of the United States since then,—which will give the amount that ought to have been the estimated expenditure for this year, on the supposition that the expense of the Government ought not, in ordinary times, to increase faster than the population; and which, deducted from the actual estimates of the year, will show, on that supposition, to what amount they ought to have been reduced. But in making this supposition, I wish it to be understood, I do not admit that the expenditures of the Government ought to keep pace with our rapidly increasing population. There are many branches of the public service which ought not to be, and have not, in fact, been much increased with the increase of population, and are now, in point of expansion, very nearly what they were in 1823. Others are more enlarged,—but it is believed that there are but few whose growth have been greater, or as great, as that

of our population. It would, in truth, not be difficult to show that an increase of revenue and expenditures, and consequently of patronage and influence, equal to our rapidly growing population, must almost necessarily end in making the Government despotic. It is known that it takes a much less military force, in proportion, to subject a large country with a numerous population, than a small one with an inconsiderable one; and in like manner, and for similar reasons, it takes much less patronage and influence in proportion, to control the former than the latter. So true is this, that I regard it as an axiom, that the purity and duration of our free and popular institutions, looking to the vast extent of country and its great and growing population, depend on restricting its revenues and expenditures, and thereby its patronage and influence, to the smallest amount consistent with the proper discharge of the few great duties for which it was instituted. To a departure from it may be attributed, in a great measure, the existing disorders. With these remarks, I shall now proceed to give the result of the proposed calculation.

The actual expenditures of 1823, all included, except payments on account of the public debt, amounted to $9,827,832. That sum multiplied by 75 per cent. the estimated ratio of increase of population from 1823 to 1840, gives $17,198,681; which, on the assumption that the expenditures should not increase more rapidly than the population, ought to be the extreme limits of the expenditures of this year. But the estimates for the year, deducting payment on account of the debt, are, as has been stated, $25,997,258, being an excess of $8,498,577 beyond what the expenditures ought to be on the liberal scale assumed. The increase, instead of being at the rate of the population, is equal to 2·68 to 1, compared with the expenditures of 1823, and 3½ nearly, compared with the ratio of the increase of population. Had the ratio of increase not exceeded that

of the population, the whole expenditure of the year, including the sum of $7,000,000 for the debt, would have been but $24,198,681, instead of $32,997,258.

But, great as this reduction is, it by no means represents the saving that would be made on the data assumed. The expense of collecting the revenue (of which a statement has already been made, so far as it relates to the customs), as well as several other items, less important, are not included in the expenditures, and must be added, to get the true amount that would be saved. The addition, at the lowest calculation, would be a million of dollars, which, added to the $8,498,577, would make the sum of $9,498,577, and would reduce what ought to be the estimates of the year, on the ground assumed, to $16,198,681. The saving is great; but, I feel confident, not greater than what, with a judicious and efficient system of administration, might be effected,—and this not only without impairing, but actually increasing, the efficiency of the Government. To make so great a reduction, would take much time and labor; but if those who have the power, and stand pledged, would begin the good work, much, very much, might be done during the present session. But if this bill, as it now stands, should become a law, I would despair for the present. I see in the amendment a deliberate and fixed determination to keep up the expenditures, regardless of pledges and consequences.

Having now shown how greatly the public expenditures have increased since 1823, I next propose to make some remarks on the causes that have produced it. In the front rank I place the protective tariff. I selected the year 1823, as I stated in the early stages of my remarks, in part to illustrate the effects of that pernicious system in this connection. It is curious to look over the columns of expenditures, under their various heads, in the table I hold in my hand, and note how suddenly they rose under every head, after each

of the Tariff Acts of 1824 and 1828, until they reached the present point.

[Here Mr. C. read from the table of the expenditures under each head, year by year, from 1823 to 1840, in illustration of his remarks.]

Nor is it wonderful that such should be the effect of the protective policy. How could it be otherwise? Duties were laid, not for revenue, but for protection. Money was not the object. It was but an incident; and the party in favor of the system (a majority in both Houses during the whole period) cared not how it was wasted. During that wasteful period, I have heard members of Congress of high intelligence declare that it was better that the money should be burnt or thrown into the ocean than not collected; and they spoke in the true genius of that corrupting and oppressive system. In fact, after it was collected, there was a sort of necessity that it should be spent. The collection was in bank-notes; and of all absurdities, one of the greatest is, an accumulation of such an article in the public treasury, whether we regard the thing itself, or its effects on the community and the banks. When pushed to a great extent, it must prove ruinous to all; and to such accumulation,—in spite of the most wasteful extravagance in the expenditures, may be attributed, in a great degree, the overthrow of the banks, and the embarrassments of the Government and country. But so blind were the banks, for the most part, to their fate, that they were among the foremost to urge on the course of policy destined to hasten so greatly their overthrow. All resistance on the part of the minority in Congress opposed to the system, was in vain. If the money was saved from one objectionable object, it was sure to be applied to some other, and perhaps even more objectionable. If the sluice of expenditures was stopped in one place, it was certain to burst through another. Under the conviction that the struggle was in vain, so long

as the cause remained, I ceased, in a great measure, resistance to appropriations, and turned my efforts against the cause;—a treasury overflowing with bank-notes,—to exhaust which, was the only means left of staying the evil. It is not my intention to cast the blame on either party. The fault lay in the system,—the policy of imposing duties, when the money was not needed,—and collecting it in a currency, which to keep, would have been more wasteful and ruinous, if possible, than to spend, however extravagantly. It is due, in justice, to the late administration, to say, that they had commenced, in good earnest, the work of reform,—and that with so much success, as to have made a very considerable reduction in the expenditures, towards which no one exerted himself with more zeal or greater effect than the Senator behind me (Mr. Woodbury), then at the head of the Treasury Department. It is to be deeply regretted, that what was then so well begun, has not been continued by those who have succeeded.

It is admitted, on all sides, that we must equalize the revenue and expenditures. The scheme of borrowing to make up an increasing deficit must, in the end, if continued, prove ruinous. Already is our credit greatly impaired. It is impossible to borrow at home in the present state of things, at the usual rate of interest. The six per cent. stock, authorized at the late session, is now several per cent. below par; and if we would borrow in the home market, it would endanger the solvent banks. It is admitted that a loan of two millions in Boston has caused the present intense pressure there in the money market. Nor can the foreign market be relied on, till our finances are put in a better condition. Who, in their present condition, would think of jeopardizing our credit by appearing in the European markets with United States stocks? It is certain, that no negotiation could be effected there but at usurious interest, and on a considerable extension of the time for redemption; the tendency

of which would be to depress the State stocks, and lay the foundation of a permanent funded debt. There remains another objection, which should not be overlooked ; the loan would be returned in merchandise, with the usual injurious and embarrassing effects of stimulating the consumption of the country, for the time, beyond what its exports would permanently sustain.

Nor is the prospect much better for the additional issue of treasury notes proposed by the bill as amended in the Senate. They are now below par, and this must still add to their depression ; perhaps to the same extent to which the six per cents are now depressed. The reason is obvious. The only advantage which they have over stocks in raising a loan, is, that they are receivable in the dues of the Government, which gives them, to a certain extent, the character of currency ; but that advantage is not peculiar to them. As the law now stands, notes of solvent banks are also receivable in the public dues. They are, in fact, treasury notes, as far as it depends on receivability,—as much so as if each one was indorsed to be received in the dues of Government by an authorized agent. Now, so long as the Government receives bank-notes at par with their own, and the banks (as is now the case) refuse to receive them at par with bank-notes, treasury notes will be depressed compared with bank-notes,—for the plain reason that the latter can pay the debts both of the banks and the Government, while the former can only pay the debts of the Government.

In such a state of things, only a very small amount of treasury notes can be used for currency without depressing them below par ; and when that amount is much exceeded, they will sink rapidly to the depression of stock bearing the same rate of interest. Very different would be the fact, if the Sub-Treasury had not been repealed. Under its operation, the Government could at any time have issued what amount it pleased to meet a temporary deficit in the trea-

sury, at a mere nominal rate of interest, or none at all. The provision that nothing but gold and silver, and the paper issued on the credit of the Government, should be received, in the public dues, would have kept them at par. But as things now are, it must be obvious that neither loans in the usual way, nor treasury notes can be relied on to make up the deficit, without ruinous consequences. And here let me inform the Senators on the other side, that they are laboring under a great mistake in supposing that we who prefer treasury notes to loans to meet the temporary wants of the treasury, are anxious to force their use upon them. The fact is far otherwise. We deeply regret to see you reduced to the necessity of using them. We believe them to be very useful and convenient,—much cheaper, and more safe, than loans, to meet the occasional wants of the Government,—and see, with regret, a resort to them under circumstances so well calculated to discredit them in the public estimation, and when they cannot be used but at the expense of the public creditors.

We have, then, arrived at the point when we must increase the duties or curtail expenditures; and the question is, Which shall we choose? This question will be decided by the vote we are about to give. There is no mistake. Those who have changed this bill into a loan bill of $5,000,000, tell us, in language too intelligent to be mistaken, that they intend to fix the permanent expenses of the Government at about $25,000,000; for it will take that sum, at least, to meet what they tell us is the lowest amount to which the expenditures can be reduced, and to discharge the interest and principal of the debt already contracted or authorized. Now, Sir, it is clear that so large a sum cannot be derived from the present tariff, high as it has been raised. I agree with the Chairman that, with our present export trade, the heavy interest to be paid on debts abroad, and the large list of free articles, it is not safe to esti-

mate the consumption of the country of dutiable articles, at more than $85,000,000 ;—which, at 20 per cent. round, would give but $17,000,000 gross, and a net revenue, according to the present expense of collection, of not more than $15,000,000 at the outside,—leaving $10,000,000 annually to be raised by additional duties on imports, or a corresponding reduction in the expenses of the Government. Which shall we choose? That the reduction may be made, and the deficit met, aided by the repeal of the Distribution Bill, without impairing the efficiency of the Government, I trust I have satisfactorily shown ; not all at once, but enough and more, this year, to avoid this loan, and gradually, by a vigorous system of economy, to arrest all further loans, and to discharge those that have been contracted or authorized. Why not then adopt the alternative of curtailing expenses? I put the question in all soberness to those who are in power and responsible. You stand pledged, solemnly pledged to reform ; you told the people that the expenses of the Government were extravagant,—that they could be reduced to a point lower than I have assigned ; and why not redeem your pledge, when I have proved that there is such ample room to do so? We, on this side, are anxious to co-operate with you, and to carry out with vigor the good work which had been commenced before you came into power. Why, instead of carrying on with still greater vigor what had been commenced, do you halt? No, it is not strong enough. Why do you now go for increase, instead of reduction? Why falsify all your solemn promises, and prove, now that you are in power, that you are as zealous for debts, duties, and increase of expenditures, as you exhibited zeal for reform while you were seeking power?

But one answer can be given :—from deep solicitude for another protective tariff. Yes ; that same pernicious system, which swelled the expenditures to their present vast amount, is the real impediment to their reduction. It is this which

has made you forget all your promises, and which now seeks to keep up the expenditures as a pretext for imposing duties, not for revenue, but in reality for protection. It is this which is striving to force Government to return to the old and disastrous policy which has brought such calamity on the country,—done so much to corrupt its morals and politics; and which is now forcing it to resort to loans and treasury notes, at the hazard of its credit, when it is so necessary, in the midst of the wrecks of that of so many of the States, that the credit of the Union should stand above suspicion. It is this which passed the Distribution Bill, and now resists its repeal, when it is clear that the revenue from the lands is indispensable to meet the demands on the Government, and to preserve its credit. Put this corrupt and corrupting system out of the way, and every difficulty connected with our finances would vanish; the Distribution Act would be repealed, the revenue from the public domain restored to the Union,—and economy and retrenchment would save their millions. Every voice would be raised in their favor, and the expenditures would be speedily equalized with the revenue. Were this done, we would hear no more of an empty treasury—of loans, of treasury notes and prostrated credit; no more of additional duties. Instead of increase, we should hear the cheerful note of reduction—repeal of taxes—striking shackles from commerce and navigation—and lightening the burden of labor. I hazard nothing in asserting that, with a thorough reform in the fiscal action of the Government, and a repeal of the Distribution Act, that a revenue of $13,000,000 from the customs would be sufficient—amply sufficient for carrying on the Government efficiently. Such would be the happy effects of equalizing the revenue and expenditures by a judicious system of economy and retrenchment, aided by the restoration of the revenue from the lands.

Let me now ask gentlemen if they have reflected on the

consequences which must result from the other alternative, —that of raising the revenue to the standard of the expenditures? What have already been the effects of this policy? What is the immediate cause of the present embarrassment? What has emptied the treasury, prostrated the credit of the Government, and imposed high additional taxes on the commerce and labor of the country? What but the policy commenced at the extra session, of keeping up the expenditures to the present high standard, and which, if we may judge by this measure, and the declaration of the Chairman of the Committee on Finance, it is determined to adhere to? Can any one doubt that if there had been no change of policy—if that so earnestly pressed by my friend behind me, of reducing the expenditures, had been continued, the existing embarrassments would have been avoided? On you, who have reversed the wise and judicious course then commenced, rests the responsibility. It is you who have emptied the treasury—you who have destroyed the credit of the Government, and caused the present embarrassments.

But you are only at the beginning of your difficulties. Those that are to come, unless you change your course, are still more formidable. The power of borrowing, in every form, short of usurious and ruinous interest, is gone; and can you expect to raise from commerce alone the means of meeting the expenditures at the present high standard? I pronounce it to be beyond your power to raise $25,000,000 annually from the customs. So large a sum cannot be extorted from commerce in the present state of things. A net revenue to that amount would require a gross revenue, at the present extravagant rate of collection, of at least $27,000,000. Our present exports will not pay for an importation of more than $125,000,000, allowing for the ordinary profits of trade. From this must be deducted $10,000,000 for the interest of debt abroad, which would reduce the imports to $115,000,000. Deduct

$10,000,000 more for free articles, immediately connected with the manufacturing operations of the country, and it would reduce the dutiable articles consumed in the country annually to $105,000,000. In the free articles I do not include tea and coffee, which are now so. It would take an average duty of 26 per cent. to raise $27,000,000 on $105,000,000. Can you, in the present state of things, raise your duties to that high standard?

I pass over the effects of such a duty, in repressing the export trade on which the import depends. Between them there is the most intimate relation. Each limits the amount of the other. In the long run, it is acknowledged that the imports cannot, on a fair valuation, exceed the exports. It is not less certain that the same rule applies to the exports; which, in the long run, cannot exceed the imports. And hence duties on imports as effectually restrict and limit the amount of the exports as if directly imposed on the latter. To repress the one is to repress the other. But, setting aside all considerations of the kind, I directly meet the question, and say that you cannot extort from commerce the amount you propose.

He who would reason from the past on this subject, will be greatly deceived. High duties now will not give the revenue they once did. The smuggler forbids. The standard of morals is greatly lowered. The paper system and the protective policy have worked a great and melancholy change in this respect. The country is filled with energetic and enterprising men, rendered desperate by being reduced from affluence to poverty through the vicissitudes of the times. They will give an impulse to smuggling unknown to the country heretofore. The profits of regular business, in the new state of things in which the country is placed, must be low and slow. Fortunes can no longer be made by a single bold stroke; and the impatience and necessities of the large class to which I have alluded, and

whose debts will be sponged by the Bankrupt Act, will not submit to recovering their former condition by so slow a process. With high duties, smuggling then will open too tempting a field to restore their broken fortunes, not to be entered by many of the large class to which I refer,—to which many will be added from the lowest standard of morals, who cannot plead the same necessity. If to this be added the greatly increased facility for smuggling, both on our Northern, and Eastern, and Southwestern frontiers, it will be in vain to expect to raise the sum proposed from commerce. Not only has the line of frontier along the lakes been greatly lengthened, but the facility of intercourse with them, both by canals and roads, have been increased in a still greater degree. How is smuggling to be prevented along so extended a frontier, with such unlimited facility for practising it? Nor will the supply of smuggled goods be confined to the immediate neighborhood of the frontier. They will penetrate through the numerous roads and canals leading to the lakes, far inland, and compete successfully with the regular trade in the heart of the country. Nor is it to be doubted but that the British authorities will connive at this illicit trade. Look at the immense interest which they have to turn the trade of our country, as far as possible, through the channel of the St. Lawrence. It will give to Great Britain the entire tonnage on whatever portion of our trade may be turned through that channel—a point so important to her naval supremacy, and to which she is ever so attentive. Already great facility is afforded for turning the provision trade, both for the home market and the supply of the West Indies, through it, and with much success.

I was surprised to learn, since the commencement of the session, as I have no doubt most of those who hear me will be, that a place on the St. Lawrence almost unknown, is already the fourth town in the Union, as to the number of vessels that enter and depart in the year. I refer to St.

Vincent, at the outlet of Lake Ontario. It is the dépôt for the British trade, which descends the St. Lawrence from our side. To give life and vigor to a vast trade, which gives her the entire tonnage of the outward and inward voyage, is too important to be neglected; particularly as it would so powerfully counteract our high duties, and so greatly widen the field of consumption for her manufactures. Turning to the frontier at the other end of the Union, we shall find a great increase of facility for smuggling, in that quarter; but I abstain from enlarging on it for the present.

Taking all these causes together, it cannot be doubted that smuggling will commence at a much lower point of duties than it ever has heretofore, and that all calculations of increase of revenue from increase of duties, founded on the past, will fail. It is the opinion of good judges that it would commence with duties as low as 12 per cent. on such articles as linen and silks; but be that as it may, it may be safely predicted that the scheme of raising the standard of revenue to the present expenditures, will fail. I pass over the violation of the compromise, which such a policy necessarily involves,—its ruinous effects on the great staples of the country, now suffering under the greatest depression,—and that deep discontent which must follow in the quarter that produces them. I shall confine myself simply to the financial question. Regarded in this light, I tell gentlemen that the line of policy they propose will fail. They will have to abandon it, or resort to internal taxes to supply the deficit from commerce. Yes, you must restore the revenue from the lands,—economize and retrench,—or be forced to resort to internal taxes in the end. Are you prepared for this? I ask those who represent the great sections to the North and East, if they have reflected how that portion of the Union would be affected by internal taxes? I refer not to direct taxes,—for that, according to the mode prescribed in the constitution, can never be pushed to any oppressive ex-

treme,—but to excises. If you have not, it is time you should; for in the way you are now going, you will soon have to learn experimentally how it will operate.

There never has been a civilized country within my knowledge, whose moneyed affairs have been worse managed than ours for the last dozen of years. In 1828 we raised the duties, on an average, to nearly fifty per cent.,—when the debt was on the eve of being discharged, and thereby flooded the country with a revenue, when discharged, which could not be absorbed by the most lavish expenditures. Hence the double affliction of an accumulating surplus of millions on millions, and of the most wasteful expenditures at the same time. Then came the Compromise Act, which entirely exempted one-half of the imports from duties, in order to escape the growing evil of such a surplus, and reduced the one-tenth, every two years, on all the duties above twenty per cent. in order to get clear of the protective policy. Under their operation, aided by the Deposit Act, the surplus was absorbed, and the revenue gradually brought down to the proper level. To meet the descending revenue, a reduction of expenditures was commenced, with the intention of equalizing the revenue and expenditures. Then a change of party took place; the one coming in professing a greater love of economy and retrenchment than the one going out; but instead of fulfilling their promises, the public expenditures have been increased by millions—debts contracted—revenue from the lands squandered—and all this when the income was reduced to the last possible depression! Take it all in all, can folly, can infatuation go further?

SPEECH

On the Veto Power, delivered in the Senate, February 25th, 1842.

THE Senator from Kentucky (Mr. Clay), in support of his amendment, maintained that the people of these States constitute a nation: that the nation has a will of its own; that the numerical majority of the whole was the appropriate organ of its voice: and that whatever derogated from it, to that extent departed from the genius of the Government, and set up the will of the minority against the majority. We have thus presented, at the very threshold of the discussion, a question of the deepest import,—not only as it regards the subject under consideration, but the nature and character of our Government; and this question is, Are these propositions of the Senator true?

[Mr. Clay here interrupted Mr. Calhoun, and said that he meant a majority according to the forms of the constitution.

Mr. Calhoun, in return, said he had taken down the words of the Senator at the time, and would vouch for the correctness of his statement. The Senator not only laid down the propositions as stated, but he drew conclusions from them against the President's veto, which could only be sustained on the principle of the numerical majority. In fact, his course at the extra session, and the grounds assumed both by him and his colleague in this discussion, had their origin in the doctrines embraced in that proposition.]

If they be, then he admitted the argument against the veto would be conclusive; not, however, for the reason assigned by him,—that it would make the voice of a single functionary of the Government (the President) equivalent to that of some six Senators and forty members of the other House,—but, for the far more decisive reason, according to his theory, that the President is not chosen by the voice of

numerical majority, and does not, therefore, according to his principle, represent truly the will of the nation.

It is a great mistake to suppose that he is elected simply on the principle of numbers. They constitute, it is true, the principal element in his election; but not the exclusive. Each State is, indeed, entitled to as many votes in his election, as it has representatives in the other House—that is, in proportion to its federal population; but to these, two others are added, having no regard to numbers for their representation in the Senate; which greatly increases the relative influence of the small States compared with the large, in the Presidential election. What effect this latter element may have on the numbers necessary to elect a President, may be made apparent by a very short and simple calculation.

The population of the United States, in federal numbers, by the late census, is 15,908,376. Assuming that 68,000, the number reported by the committee of the other House, will be fixed on for the ratio of representation, it will give, according to the calculation of the committee, 224 members to the other House. Add 52,—the number of the Senators,—and the electoral college will be found to consist of 276, of which 139 is a majority. If nineteen of the smaller States, excluding Maryland, be taken,—beginning with Delaware and ending with Kentucky inclusive,—they will be found to be entitled to 140 votes,—1 more than a majority,—with a federal population of only 7,227,869; while the seven other States, with a population of 8,680,507, would be entitled to but 136 votes,—3 less than a majority,—with a population of almost a million and a half greater than the others. Of the 140 electoral votes of the smaller States, 38 would be on account of the addition of 2 to each State for their representation in this body; while of the larger there would be but 14 on this account;—making a difference of 24 votes,—being 2 more than the

entire electoral vote of Ohio, the third State, in point of numbers, in the Union.

The Senator from Kentucky, with these facts, but acts in strict conformity with his theory of government, in proposing the limitation he has on the veto power; but as much cannot be said in favor of the substitute he has offered. The argument is as conclusive against the one as the other, or any other modification of the veto that could possibly be devised. It goes further,—and is conclusive against the Executive Department itself, as elected; for there can be no good reason offered why the will of the nation, if there be one, should not be as fully and perfectly represented in that department as in the legislative.

But it does not stop here. It would be still more conclusive, if possible, against this branch of the Government. In constituting the Senate, numbers are totally disregarded. The smallest State stands on a perfect equality with the largest,—Delaware with her seventy-seven thousand, and New-York with her two millions and a half. Here a majority of States control, without regard to population; and fourteen of the smallest States, with a federal population of but 4,064,457,—little less than a fourth of the whole,—can, if they unite, overrule the twelve others with a population of 11,844,919. Nay, more; they could virtually destroy the Government, and put a veto on the whole system, by refusing to elect Senators; and yet this equality among States, without regard to numbers, including the branch where it prevails, would seem to be the favorite with the constitution. It cannot be altered without the consent of every State; and this branch of the Government where it prevails, is the only one that participates in the powers of all the others. As a part of the legislative department, it has full participation with the other in all matters of legislation, except originating money bills; while it participates with the Executive in two of its highest functions,—those of appointing to office

and making treaties; and in that of the Judiciary, in being the high court before which all impeachments are tried.

But we have not yet got to the end of the consequences. The argument would be as conclusive against the Judiciary as against the Senate, or the Executive and his veto. The judges receive their appointments from the Executive and the Senate—the one nominating, and the other consenting to and advising the appointment; neither of which departments, as has been shown, is chosen by the numerical majority. In addition, they hold their office during good behavior, and can only be turned out by impeachment; and yet they have the power, in all cases in law and equity brought before them, in which an act of Congress is involved, to decide on its constitutionality—that is, in effect, to pronounce an absolute veto.

If, then, the Senator's theory be correct, its clear and certain result, if carried out in practice, would be to sweep away, not only the veto, but the Executive, the Senate, and the Judiciary, as now constituted; and to leave nothing standing in the midst of the ruins but the House of Representatives, where only, in the whole range of the Government, numbers exclusively prevail. But, as desolating as would be its sweep, in passing over the Government, it would be far more destructive in its whirl over the constitution. There it would not leave a fragment standing amidst the ruin in its rear.

In approaching this topic, let me premise (what all will readily admit), that if the voice of the people may be sought for any where with confidence, it may be in the constitution, which is conceded by all to be the fundamental and paramount law of the land. If, then, the people of these States do really constitute a nation, as the Senator supposes; if the nation has a will of its own, and if the numerical majority of the whole is the only appropriate and true organ of that will, we may fairly expect to find that will, pronounced

through the absolute majority, pervading every part of that instrument, and stamping its authority on the whole. Is such the fact? The very reverse. Throughout the whole—from first to last—from the beginning to the end—in its formation, adoption, and amendment, there is not the slightest evidence, trace, or vestige of the existence of the facts on which the Senator's theory rests; neither of the nation, nor its will, nor of the numerical majority of the whole, as its organ, as I shall next proceed to show.

The convention which formed it was called by a portion of the States; its members were all appointed by the States; received their authority from their separate States; voted by States in forming the constitution; agreed to it, when formed, by States; transmitted it to Congress to be submitted to the States for their ratification; it was ratified by the people of each State in convention, each ratifying by itself, for itself, and bound exclusively by its own ratification; and by express provision it was not to go into operation, unless nine out of the twelve States should ratify, and then to be binding only between the States ratifying. It was thus put in the power of any four States, large or small, without regard to numbers, to defeat its adoption; which might have been done by a very small proportion of the whole, as will appear by reference to the first census. That census was taken very shortly after the adoption of the constitution,—at which time the federal population of the then twelve States was 3,462,279, of which the four smallest, Delaware, Rhode Island, Georgia, and New Hampshire, with a population of only 241,490 (something more than the fourteenth part of the whole), could have defeated the ratification. Such was the total disregard of population in the adoption and formation of the constitution.

It may, however, be said, it is true, that the constitution is the work of the States, and that there was no nation prior to its adoption; but that its adoption fused the people

of the States into one, so as to make a nation of what before constituted separate and independent sovereignties. Such an assertion would be directly in the teeth of the constitution, which says that, when ratified, "it should be binding" (not over the States ratifying, for that would imply that it was imposed by some higher authority; nor between the individuals composing the States, for that would imply that they were all merged in one; but) "between the States ratifying the same;" and thus, by the strongest implication, recognizing them as the parties to the instrument, and as maintaining their separate and independent existence as States, after its adoption. But let this pass. I need it not to rebut the Senator's theory—to test the truth of the assertion, that the constitution has formed a nation of the people of these States. I go back to the grounds already taken,—that if such be the fact—if they really form a nation, since the adoption of the constitution, and the nation has a will, and the numerical majority is its only proper organ,—in such case the mode prescribed for the amendment of the constitution would furnish abundant and conclusive evidence of the fact. But here again, as in its formation and adoption, there is not the slightest trace or evidence of the fact; on the contrary, most conclusive to sustain the very opposite opinion.

There are two modes in which amendments to the constitution may be proposed. The one, such as that now proposed, by a resolution to be passed by two-thirds of both Houses; and the other, by a call of a convention, by Congress, to propose amendments, on the application of two-thirds of the States; neither of which gives the least countenance to the theory of the Senator. In both cases, the mode of ratification, which is the material point, is the same,—and requires the concurring assent of three-fourths of the States, regardless of population, to ratify an amend-

ment. Let us now pause for a moment to trace the effects of this provision.

There are now twenty-six States, and the concurring assent, of course, of twenty States, is sufficient to ratify an amendment. It then results that twenty of the smaller States, of which Kentucky would be the largest, are sufficient for this purpose, with a population, in federal numbers, of only 7,652,097,—less by several hundred thousand than the numerical majority of the whole,—against the united voice of the other six, with a population of 8,216,279,—exceeding the former by more than half a million. And yet this minority, under the amending power, may change, alter, modify, or destroy every part of the constitution, except that which provides for an equality of representation of the States in the Senate: while, as if in mockery and derision of the Senator's theory, nineteen of the larger States, with a population, in federal numbers, of 14,526,073, cannot, even if united to a man, alter a letter in the constitution, against the seven others, with a population of only 1,382,303; and this, too, under the existing constitution, which is supposed to form the people of these States into a nation. Finally, Delaware, with a population of little more than 77,000, can put her veto on all the other States, on a proposition to destroy the equality of the States in the Senate. Can facts more clearly illustrate the total disregard of the numerical majority, as well in the process of amending, as in that of forming and adopting the constitution?

All this must appear anomalous, strange, and unaccountable, on the theory of the Senator; but harmonious and easily explained on the opposite; that ours is a union, not of individuals, united by what is called a social compact—for that would make it a nation; nor of governments—for that would have formed a confederacy, like the one superseded by the present constitution; but a union of States, founded on a written, positive compact, forming a Federal

Republic, with the same equality of rights among the States composing the Union, as among the citizens composing the States themselves. Instead of a nation, we are in reality an assemblage of nations, or peoples (if the plural noun may be used where the language affords none), united in their sovereign character immediately and directly by their own act, but without losing their separate and independent existence.

It results from all that has been stated, that either the theory of the Senator is wrong, or that our political system is throughout a profound and radical error. If the latter be the case, then that complex system of ours, consisting of so many parts, but blended, as was supposed, into one harmonious and sublime whole, raising its front on high and challenging the admiration of the world, is but a misshapen and disproportionate structure, that ought to be demolished to the ground, with the single exception of the apartment allotted to the House of Representatives. Is the Senator prepared to commence the work of demolition? Does he believe that all other parts of this complex structure are irregular and deformed appendages; and that if they were taken down, and the Government erected exclusively on the will of the numerical majority, it would effect as well, or better, the great objects for which it was instituted: "to establish justice; ensure domestic tranquillity; provide for the common defence; promote the general welfare; and secure the blessings of liberty to ourselves and our posterity?" Will the Senator—will any one—can any one—venture to assert this? And if not, why not? This is the question, on the proper solution of which hangs not only the explanation of the veto, but that of the real nature and character of our complex, but beautiful and harmonious system of governments. To give a full and systematic solution, it would be necessary to descend to the elements of political science, and discuss principles little suited to a discussion in

a deliberative assembly. I waive the attempt, and shall content myself with giving a much more matter-of-fact solution.

It is sufficient, for this purpose, to point to the actual operation of the Government, through all the stages of its existence, and the many and important measures which have agitated it from the beginning; the success of which one portion of the people regarded as essential to their prosperity and happiness, while other portions have viewed them as destructive of both. What does this imply, but a deep conflict of interests, real or supposed, between the different portions of the community, on subjects of the first magnitude—the currency, the finances, including taxation and disbursements; the bank, the protective tariff, distribution, and many others; on all of which the most opposite and conflicting views have prevailed? And what would be the effect of placing the powers of the Government under the exclusive control of the numerical majority—of 8,000,000 over 7,900,000, of six States over all the rest—but to give the dominant interest, or combination of interests, an unlimited and despotic control over all others? What, but to vest it with the power to administer the Government for its exclusive benefit, regardless of all others, and indifferent to their oppression and wretchedness? And what, in a country of such vast extent and diversity of condition, institutions, industry, and productions, would this be, but to subject the rest to the most grinding despotism and oppression? But what is the remedy? It would be but to increase the evil, to transfer the power to a minority,—to abolish the House of Representatives, and place the control exclusively in the hands of the Senate—in that of the four millions, instead of the eight. If one must be sacrificed to the other, it is better that the few should be to the many, than the many to the few.

What then is to be done, if neither the majority nor the

minority, the greater nor less part, can be safely trusted with exclusive control? What but to vest the powers of the Government in the whole—the entire people; to make it, in truth and reality, the government of the people, instead of the government of a dominant over a subject part, be it the greater or less—of the whole people—self-government; and, if this should prove impossible in practice, then to make the nearest approach to it, by requiring the concurrence in the action of the Government, of the greatest possible number consistent with the great ends for which Government was instituted—justice and security, within and without. But how is this to be effected? Not, certainly, by considering the whole community as one, and taking its sense as a whole by a single process, which, instead of giving the voice of all, can but give that of a part. There is but one way by which it can possibly be accomplished; and that is by a judicious and wise division and organization of the Government and community, with reference to its different and conflicting interests,—and by taking the sense of each part separately, and the concurrence of all as the voice of the whole. Each may be imperfect of itself; but if the construction be good, and all the keys skilfully touched, there will be given out, in one blended and harmonious whole, the true and perfect voice of the people.

But on what principle is such a division and organization to be made to effect this great object, without which it is impossible to preserve free and popular institutions? To this no general answer can be given. It is the work of the wise and experienced,—having full and perfect knowledge of the country and the people, in every particular—for whom the Government is intended. It must be made to fit; and when it does, it will fit no other, and will be incapable of being imitated or borrowed. Without, then, attempting to do what cannot be done, I propose to point out how that which I have stated has been accomplished in our system of

governments, and the agency the veto is intended to have in effecting it.

I begin with the House of Representatives. There each State has a representation according to its federal numbers, —and, when met, a majority of the whole number of members controls its proceedings; thus giving to the numerical majority the exclusive control throughout. The effect is to place its proceedings in the power of eight millions of people over all the rest, and six of the largest States, if united, over the other twenty; and the consequence, if the House were the exclusive organ of the voice of the people, would be the domination of the stronger over the weaker interests of the community, and the establishment of an intolerable and oppressive despotism. To find the remedy against what would be so great an evil, we must turn to this body. Here an entirely different process is adopted to take the sense of the community. Population is entirely disregarded, and States, without reference to the number of the people, are made the basis of representation; the effect of which is to place the control here in a majority of the States, which, had they the exclusive power, would exercise it as despotically and oppressively as would the House of Representatives.

Regarded, then, separately, neither truly represents the sense of the community, and each is imperfect of itself; but when united, and the concurring voice of each is made necessary to enact laws, the one corrects the defects of the other; and, instead of the less popular derogating from the more popular, as is supposed by the Senator, the two together give a more full and perfect utterance to the voice of the people than either could separately. Taken separately, six States might control the House; and a little upwards of four millions might control the Senate, by a combination of the fourteen smaller States; but by requiring the concurrent votes of the two, the six largest States must add eight others to have the control in both bodies. Sup-

pose, for illustration, they should unite with the eight smallest (which would give the least number by which an act could pass both Houses), it will be found, by adding the population in federal numbers of the six largest to the eight smallest States, that the least number by which an act can pass both Houses, if the members should be true to those they represent, would be 9,788,570 against a minority of 6,119,797, instead of 8,000,000 against 7,900,000, if the assent of the most popular branch alone were required.

This more full and perfect expression of the voice of the people by the concurrence of the two, compared to either separately, is a great advance towards a full and perfect expression of their voice; but, great as it is, it falls far short, and the framers of the constitution were accordingly not satisfied with it. To render it still more perfect, their next step was to require the assent of the President, before an act of Congress could become a law; and, if he disapproved, to require two-thirds of both Houses to overrule his veto. We are thus brought to the point immediately under discussion, and which, on that account, claims a full and careful examination.

One of the leading motives for vesting the President with this high power, was, undoubtedly, to give him the means of protecting the portion of the powers allotted to him by the constitution, against the encroachment of Congress. To make a division of power effectual, a veto in one form or another is indispensable. The right of each to judge for itself of the extent of the power allotted to its share, and to protect itself in its exercise, is what in reality is meant by a division of power. Without it, the allotment to each department would be a mere partition, and no division at all. Acting under this impression, the framers of the constitution have carefully provided that his approval should be necessary, not only to the acts of Congress, but to every resolution, vote, or order, requiring the consent of the

two Houses, so as to render it impossible to elude it by any conceivable device. This of itself, was an adequate motive for the provision, and, were there no other, ought to be a sufficient reason for the rejection of this resolution. Without it, the division of power between the Legislative and Executive Departments would have been merely nominal.

But it is not the only motive. There is another and deeper, to which the division itself of the Government into departments is subordinate;—to enlarge the popular basis, by increasing the number of voices necessary to its action. Numerous as are the voices required to obtain the assent of the people through the Senate and the House to an act, it was not thought by the framers of the constitution sufficient for the action of the Government in all cases. 9,800,000—large as is the number—were regarded as still too few, and 6,100,000 too many, to remove all motives for oppression; the latter being not too few to be plundered, and the former not too large to divide the spoils of plunder among. Till the increase of numbers on one side, and the decrease on the other, reaches that point, there is no security for the weaker against the stronger, especially in so extensive a country as ours. Acting in the spirit of these remarks, the authors of the constitution, although they deemed the concurrence of the Senate and the House as sufficient, with the approval of the President, to the enactment of laws in ordinary cases; yet, when he dissented, they deemed it a sufficient presumption against the measure to require a still greater enlargement of the popular basis for its enactment. With this view, the assent of two-thirds of both Houses was required to overrule his veto; that is, eighteen States in the Senate, and a constituency of 10,600,000 in the other House.

But it may be said that nothing is gained towards enlarging the popular basis of the Government by the veto power; because the number necessary to elect a majority to the two Houses, without which the act could not pass, would

be sufficient to elect him. This is true. But he may have been elected by a different portion of the people; or, if not, great changes may take place during his four years, both in the Senate and the House, which may change the majority that brought him into power; and with it the measures and policy to be pursued. In either case, he might find it necessary to interpose his veto to maintain his views of the constitution, or the policy of the party of which he is the head, and which elevated him to power.

But a still stronger consideration for vesting him with the power may be found in the difference in the manner of his election, compared with that of the members of either House. The Senators are elected by the vote of the Legislatures of the respective States; and the members of the House by the people, who, in almost all the States, elect by districts. In neither is there the least responsibility of the members of any one State to the Legislature or people of any other State. They are, as far as their responsibility may be concerned, solely and exclusively under the influence of the States and people who respectively elect them. Not so the President. The votes of the whole are counted in his election, which makes him more or less responsible to every part—to those who voted against him, as well as those to whom he owes his election; which he must feel sensibly. If he should be an aspirant for a re-election, he will desire to gain the favorable opinion of States that opposed him, as well as to retain that of those which voted for him. Even if he should not be a candidate for re-election, the desire of having a favorite elected, or maintaining the ascendency of his party, may have, to a considerable extent, the same influence over him. The effect in either case, would be to make him look more to *the interest of the whole*—to soften sectional feelings and asperity—to be more of a patriot than the partisan of any particular interest; and, through the influence of these causes, to give a more general character to the poli-

ties of the country, and thereby render the collision between sectional interests less fierce than it would be if legislation depended solely on the members of the two Houses, who owe no responsibility but to those who elected them. The same influence acts even on the aspirants for the Presidency, and is followed to a very considerable extent by the same softening and generalizing effects. In the case of the President, it may lead to the interposing of his veto against oppressive and dangerous sectional measures, even when supported by those to whom he owes his election. But, be the cause of interposing his veto what it may, its effect in all cases is, to require a greater body of constituency, through the legislative organs, to put the Government in action against it—to require another key to be struck, and to bring out a more full and perfect response from the voice of the people.

There is still another impediment, if not to the enactment of laws, to their execution, to be found in the Judiciary Department. I refer to the right of the courts, in all cases coming before them in law or equity, where an act of Congress comes in question, to decide on its constitutionality; which, if decided against the law in the Supreme Court, is, in effect, a permanent veto. But here a difference must be made between a decision against the constitutionality of a law of Congress and of a State. The former acts as a restriction on the powers of this Government, but the latter as an enlargement.

Such are the various processes of taking the sense of the people through the divisions and organization of the different departments of the Government; all of which, acting through their appropriate organs, are intended to widen its basis and render it more popular, instead of less, by increasing the number necessary to put it in action,—and having for their object to prevent one portion of the community from aggrandizing or enriching itself at the expense of the other, and to restrict the whole to the sphere intended by

the framers of the constitution. Has it effected these objects? Has it prevented oppression and usurpation on the part of the Government? Has it accomplished the objects for which the Government was ordained, as enumerated in the preamble to the constitution? Much—very much—certainly has been done, but not all. Many instances might be enumerated, in the history of the Government, of the violation of the constitution—of the assumption of powers not delegated to it—of the perversion of those delegated to uses never intended—and of their being wielded by the dominant interest, for the time, for its aggrandizement, at the expense of the rest of the community;—instances that may be found in every period of its existence, from the earliest to the latest, beginning with the bank and bank connection at its outset, and ending with the Distribution Act at the late extraordinary session. How is this to be accounted for? What is the cause?

The explanation and cause will be found in the fact, that, fully as the sense of the people is taken in the action of the Government, it is not taken fully enough. For, after all that has been accomplished in that respect, there are but two organs through which the voice of the community acts directly on the Government; and which, taken separately, or in combination, constitute the elements of which it is composed: the one is the majority of the States, regarded in their corporate character as bodies politic, which, in its simple form, constitutes the Senate; and the other is the majority of the people of the States, of which, in its simple form, the House of Representatives is composed. These combined, in the proportions already stated, constitute the Executive Department; and that department and the Senate appoint the judges, who constitute the Judiciary. But it is only in their simple form in the Senate and the other House that they have a steady and habitual control over the legislative acts of the Government. The veto of the Exec-

utive is rarely interposed—not more than about twenty times during the period of more than fifty years that the Government has existed. Their effects have been beneficially felt,—but only casually, at long intervals, and without steady and habitual influence over its action. The same remarks are substantially applicable to what, for the sake of brevity, may be called the veto of the Judiciary—the right of negativing a law, for the want of constitutionality, when it comes in question, in a case before the courts.

The Government, then, of the Union, being under no other habitual and steady control but of these two majorities, acting through this and the other House, is, in fact, placed substantially under the control of the portion of the community which the united majorities of the two Houses represent for the time, and which may consist of but fourteen States, with a federal population of less than ten millions, against a little more than six, as has been already explained. But, large as is the former, and small as is the latter,—the one is not large enough, in proportion, to prevent it from plundering, under the forms of law,—nor the other small enough to be secure from the plundering process; and hence the many instances of violation of the constitution—of usurpation, of powers perverted and wielded for selfish purposes, which the history of the Government affords. They furnish proof conclusive that the principle of plunder, so deeply implanted in all governments, has not been eradicated in ours, by all the precautions taken by its framers.

But, in estimating the number of the constituency necessary to control the majority in the two Houses of Congress at something less than ten millions, I have put it altogether too high, regarding the practical operation of the Government. To form a correct conception of its practical operation in this respect, another element, which has, in practice, an important influence, must be taken into the estimate, and which I shall next proceed to explain.

Of the two majorities, which, acting either separately or in combination, control the Government, the numerical majority is by far the most influential. It has the exclusive control in the House of Representatives, and preponderates more than five to one in the choice of the President,—assuming that the ratio of representation will be fixed at sixty-eight thousand under the late census. It also greatly preponderates in the appointment of judges,—the right of nominating having much greater influence in making appointments than that of advising and consenting. From these facts, it must be apparent that the leaning of the President will be to that element of power to which he mainly owes his elevation,—and on which he must principally rely to secure his re-election, or maintain the ascendency of the party and its policy, of which he usually is the head. This leaning of his must have a powerful effect on the inclination and tendency of the whole Government. In his hands are placed, substantially, all the honors and emoluments of the Government; and these, when greatly increased, as they are and ever must be when the powers of the Government are greatly stretched and increased, must give the President a corresponding influence over, not only the members of both Houses, but also public opinion,—and, through this, a still more powerful indirect influence over them; and thus they may be brought to sustain or oppose, through his influence, measures which otherwise they would not have opposed or sustained,—and the whole Government be made to lean in the same direction with the Executive.

From these causes, the Government, in all its departments, gravitates steadily towards the numerical majority,—and has been moving slowly towards it from the beginning; sometimes, indeed, retarded, or even stopped or thrown back,—but, taking any considerable period of time, always advancing towards it. That it begins to make near ap-

proach to that fatal point, ample proof may be found in the oft-repeated declaration of the mover of this resolution, and of many of his supporters at the extraordinary session,—that the late Presidential election decided all the great measures which he so ardently pressed through the Senate. Yes, even here—in this Chamber,—in the Senate,—which is composed of the opposing element,—and on which the only effectual resistance to this fatal tendency exists which is to be found in the Government—we are told that the popular will, as expressed in the Presidential election, is to decide, not only the election, but every measure which may be agitated in the canvass in order to influence the result. When what was thus boldly insisted on comes to be an established principle of action, the end will be near.

As the Government approaches nearer and nearer to the one absolute and single power,—the will of the greater number,—its action will become more and more disturbed and irregular; faction, corruption, and anarchy, will more and more abound; patriotism will daily decay, and affection and reverence for the Government grow weaker and weaker,—until the final shock occurs, when the system will rush into ruin, and the sword take the place of law and constitution.

Let me not be misunderstood. I object not to that structure of the Government which makes the numerical majority the predominant element: it is, perhaps, necessary that it should be so in all popular constitutional governments like ours, which excludes classes. It is necessarily the exponent of the strongest interest, or combination of interests, in the community; and it would seem to be necessary to give it the preponderance, in order to infuse into the Government the necessary energy to accomplish the ends for which it was instituted. The great question is,—How is due preponderance to be given to it, without subjecting the whole, in time, to its unlimited sway? which brings up the inquiry, Is there anywhere, in our complex system of gov-

ernments, a guard, check, or contrivance, sufficiently strong to arrest so fearful a tendency? Or, to express it in more direct and intelligible language,—Is there any where in the system a more full and perfect expression of the voice of the people of the States, calculated to counteract this tendency to the concentration of all the powers of the Government in the will of the numerical majority, resulting from the partial and imperfect expression of their voice through its organs?

Yes, fortunately, doubly fortunately, there is; not only a more full and perfect, but a full and perfect expression to be found in the constitution, acknowledged by all to be the fundamental and supreme law of the land. It is full and perfect, because it is the expression of the voice of each State, adopted by the separate assent of each, by itself, and for itself; and is the voice of all by being that of each component part, united and blended into one harmonious whole. It is not only full and perfect, but as just as it is full and perfect; for, combining the sense of each, and therefore all, there is nothing left on which injustice, or oppression, or usurpation can operate. And, finally, it is as supreme as it is just; because, comprehending the will of all, by uniting that of each of the parts, there is nothing within or above to control it. It is, indeed the *vox populi vox Dei;* the creating voice that called the system into existence,—and of which the Government itself is but a creature, clothed with delegated powers to execute its high behests.

We are thus brought to a question of the deepest import, and on which the fate of the system depends. How can this full, perfect, just and supreme voice of the people, embodied in the constitution, be brought to bear, habitually and steadily, in counteracting the fatal tendency of the Government to the absolute and despotic control of the numerical majority? Or—if I may be permitted to use so bold an expression—how is this, the Deity of our political system, to be successfully invoked, to interpose its all-powerful creat-

ing voice to save from perdition the creature of its will and the work of its hand? If it cannot be done, ours, like all free governments preceding it, must go the way of all flesh; but if it can be, its duration may be from generation to generation to the latest posterity. To this all-important question I will not attempt a reply at this time. It would lead me far beyond the limits properly belonging to this discussion. I descend from the digression nearer to the subject immediately at issue, in order to reply to an objection to the veto power, taken by the Senator from Virginia on this side the chamber, (Mr. Archer).

He rests his support of this resolution on the ground that the object intended to be effected by the veto has failed; that the framers of the constitution regarded the Legislative Department of the Government as the one most to be dreaded; and that their motive for vesting the Executive with the veto, was to check its encroachments on the other departments: but that the Executive, and not the Legislature had proved to be the most dangerous; and that the veto had become either useless or mischievous, by being converted into a sword to attack, instead of a shield to defend, as was originally intended.

I make no issue with the Senator, as to the correctness of his statement. I assume the facts to be as he supposes; not because I agree with him, but simply with the view of making my reply more brief.

Assuming, then, that the Executive Department has proved to be the more formidable, and that it requires to be checked, rather than to have the power of checking others,—the first inquiry, on that assumption, should be into the cause of its increase of power, in order to ascertain the seat and the nature of the danger; and the next, whether the measure proposed—that of divesting it of the veto, or modifying it as proposed—would guard against the danger apprehended.

I begin with the first; and in entering on it, assert, with confidence, that if the Executive has become formidable to the liberty or safety of the country, or other departments of the Government, the cause is not in the constitution, but in the acts and omissions of Congress itself.

According to my conception, the powers vested in the President by the constitution are few and effectually guarded, and are not of themselves at all formidable. In order to have a just conception of the extent of his powers, it must be borne in mind that there are but two classes of powers known to the constitution; namely—powers that are expressly granted, and those that are necessary to carry the granted powers into execution. Now, by a positive provision of the constitution, all powers necessary to the execution of the granted powers are expressly delegated to Congress, be they powers granted to the Legislative, Executive, or Judicial Department; and can only be exercised by the authority of Congress, and in the manner prescribed by law. This provision will be found in what is called the residuary clause, which declares that Congress shall have the power "to make all laws which shall be necessary and proper to carry into execution the foregoing powers" (those granted to Congress), "and all other powers vested by this constitution in the Government of the United States, or in any department or officer thereof." A more comprehensive provision cannot be imagined. It carries with it all powers necessary and proper to the execution of the granted powers, be they lodged where they may; and vests the whole, in terms not less explicit, in Congress. And here let me add, in passing, that the provision is as wise as it is comprehensive. It deposits the right of deciding what powers are necessary for the execution of the granted powers where, and where only, it can be lodged with safety—in the hands of the law-making power; and forbids any department or officer of the Government from exercising any power not expressly authorized by the

constitution or the laws—thus making ours emphatically a Government of *law and constitution.*

Having now shown that the President is restricted by the constitution to powers expressly granted to him, and that if any of his granted powers be such that they require other powers to execute them, he cannot exercise them without the authority of Congress, I shall now show that there is not one power vested in him that is in any way dangerous, unless made so by the acts or permission of Congress. I shall take them in the order in which they stand in the constitution.

He is, in the first place, made commander-in-chief of the army and navy of the United States, and the militia, when called into actual service. Large and expensive military and naval establishments, and numerous corps of militia, called into service, would no doubt increase very dangerously the power and patronage of the President; but neither can take place but by the action of Congress. Not a soldier can be enlisted, a ship of war built, nor a militiaman called into service, without its authority; and, very fortunately, our situation is such, that there is no necessity, and, probably, will be none, why his power and patronage should be dangerously increased by either of those means.

He is next vested with the power to make treaties, and to appoint officers, with the advice and consent of the Senate. And here again his power can only be made dangerous by the action of one or both Houses of Congress. In the formation of treaties, two-thirds of the Senate must concur; and it is difficult to conceive of a treaty that could materially enlarge his powers, which would not require an act of Congress to carry it into effect. The appointing power may, indeed, dangerously increase his patronage, if officers be uselessly multiplied and too highly paid; but if such should be the case, the fault would be in Congress, by whose authority, exclusively, they can be created or their compensation regulated.

But much is said, in this connection, of the power of removal, justly accompanied by severe condemnation of the many and abusive instances of the use of the power, and the dangerous influence it gives the President; in all of which I fully concur. It is, indeed, a corrupting and dangerous power, when officers are greatly multiplied and highly paid, —and when it is perverted from its legitimate object to the advancement of personal or party purposes. But I find no such power in the list of powers granted to the Executive, which is proof conclusive that it belongs to the class necessary and proper to execute some other power, if it exists at all, which none can doubt; and for reasons already assigned, cannot be exercised without authority of law. If, then, it has been abused, it must be because Congress has not done its duty in permitting it to be exercised by the President without the sanction of law, and guarding against the abuses to which it is so liable.

The residue of the list are rather duties than rights— that of recommending to Congress such measures as he may deem expedient; of convening both Houses on extraordinary occasions; of adjourning them when they cannot agree on the time; of receiving ambassadors and other ministers; of taking care that the laws be faithfully executed, and commissioning the officers of the United States. Of all these, there is but one which claims particular notice, in connection with the point immediately under consideration; and that is, his power as the administrator of the laws. But whatever power he may have in that capacity depends on the action of Congress. If Congress should limit its legislation to the few great subjects confided to it; so frame its laws as to leave as little as possible to discretion, and take care to see that they are duly and faithfully executed, the administrative powers of the President would be proportionally limited, and divested of all danger. But if, on the contrary, it should extend its legislation in every direction;

draw within its action subjects never contemplated by the constitution; multiply its acts, create numerous offices, and increase the revenue and expenditures proportionally,—and, at the same time, frame its laws vaguely and loosely, and withdraw, in a great measure, its supervising care over their execution, his power would indeed become truly formidable and alarming. Now I appeal to the Senator and his friend, the author of this resolution, whether the growth of Executive power has not been the result of such a course on the part of Congress. I ask them whether this power has not, in fact, increased or decreased just in proportion to the increase or decrease of that system of legislation which has been described? What was the period of its maximum increase, but the very period which they have so frequently and loudly denounced as the one most distinguished for the prevalence of Executive power and usurpation? Much of that power certainly depended on the remarkable man then at the head of the department; but much—far more—on the system of legislation which the author of this resolution had built up with so much zeal and labor,—and which carried the powers of the Government to a point far beyond that to which it had ever before attained,—drawing many and important ones into its vortex, of which the framers of the constitution never dreamed. And here let me say to both of the Senators,—and the party of which they are prominent members,—that they labor in vain to bring down Executive power, while they support the system they so zealously advocate. The power they complain of is but its necessary fruit. Be assured, that as certain as Congress transcends its assigned limits, and usurps powers never conferred, or stretches those conferred beyond the proper limits; so surely will the fruits of its usurpation pass into the hands of the Executive. In seeking to become master, it but makes a master in the person of the President. It is only by confining itself to its allotted sphere, and a discreet use

of its acknowledged powers, that it can retain that ascendency in the Government which the constitution intended to confer on it.

Having now pointed out the cause of the great increase of the Executive power on which the Senator rested his objection to the veto power; and having satisfactorily shown, as I trust I have, that, if it has proved dangerous in fact, the fault is not in the constitution, but in Congress,—I would next ask him, in what possible way could the divesting the President of his veto, or modifying it as he proposes, limit his power? Is it not clear that, so far from the veto being the cause of the increase of his power, it would have acted as a limitation on it, if it had been more freely and frequently used? If the President had vetoed the original bank, the connection with the banking system, the tariffs of 1824 and 1828, and the numerous acts appropriating money for roads, canals, harbors, and a long list of other measures not less unconstitutional,—would his power have been half as great as it now is? He has grown great and powerful, not because *he used* his veto, but because *he abstained* from using it. In fact, it is difficult to imagine a case in which its application can tend to enlarge his power, except it be the case of an act intended to repeal a law calculated to increase his power,—or to restore the authority of one which, by an arbitrary construction of his power, he has set aside.

Now let me add, in conclusion, that this is a question, in its bearings, of vital importance to that wonderful and sublime system of governments which our patriotic ancestors established, not so much by their wisdom,—wise and experienced as they were,—as by the guidance of a kind Providence, who, in his divine dispensation, so disposed events as to lead to the establishment of a system wiser than those who framed it. The veto, of itself, important as it is, sinks into nothing compared to the principle involved. It is but

one, and that by no means the most considerable, of those many wise devices which I have attempted to explain, and which were intended to strengthen the popular basis of our Government, and resist its tendency to fall under the control of the dominant interest, acting through the mere numerical majority. The introduction of this resolution may be regarded as one of the many symptoms of that fatal tendency, —and of which we had such fearful indications in the bold attempt at the late extraordinary session, of forcing through a whole system of measures of the most threatening and alarming character, in the space of a few weeks, on the ground that they were all decided in the election of the late President; thus attempting to substitute the will of a majority of the people, in the choice of a Chief Magistrate, as the legislative authority of the Union, in lieu of the beautiful and profound system established by the constitution.

SPEECH

On Mr. Clay's Resolutions in relation to the Revenues and Expenditures of the Government; delivered in the Senate, March 16th, 1842.

Mr. Calhoun said: These resolutions are of a very mixed and contradictory character. They contain much that I approve, and much that I condemn. I approve of them, in the first place, because they recognize the Compromise Act, and profess to respect its provisions. I still more heartily approve of them because they assert that no duty ought to be laid but for revenue, and no revenue raised but what may be necessary for the economical administration of the Government; and, by consequence, they abandon the

protective policy. I very decidedly approve of the preference which they give to the ad valorem, over specific duties, and the effective argument of the Senator (Mr. Clay), in support of this preference. And finally, I approve of the principle that the Government ought not to rely on loans or treasury notes, as a part of their ways and means in time of peace, except to meet a temporary deficit.

Having approved of so much, it may be asked for what do I condemn them? I condemn them for this; that they do not propose to carry out in practice, what they profess in principle; that while they profess to respect the Compromise Act, they violate it in every essential particular but one,—the ad valorem principle; and even this I fear it is intended to set aside by the juggle of home valuation. If there be any part of that act more sacred than another, it is that which provides that there shall be no duty imposed after the 30th of June next, except for revenue, and no revenue raised, but what may be necessary to the economical administration of the Government. It was for this the act was passed, and without which it would not have existed. If this was not apparent on the face of the act itself, the causes which led to its adoption would clearly prove it. It is sufficient, in this connection, to remind the Senate that the object of the act was to terminate the controversy between the State of South Carolina and this Government, growing out of the tariff of 1828. The object of the State, as far as she was individually concerned, was twofold—to put down the protective policy, and to protect herself against high duties, even for revenue, when it could be avoided by due regard to economy. To secure the former, the provision was inserted that no duty should be laid but for revenue; and the latter, that no revenue should be raised but what was necessary for the economical administration of the Government. Without these provisions, I, as her representative on this floor, would never have given my assent to the act; and, if I had, the

State would never have acquiesced in it. I speak with perfect confidence; for even with these important provisions, she reluctantly assented to the compromise.

Besides these, there was another object in which the whole Union was deeply concerned, which influenced her in the step she then took; and that was, to guard against the dangerous consequences of an accumulation of a large surplus revenue in the treasury after the payment of the public debt. While defending herself, and the portion of the Union in which her lot is cast, against an unconstitutional and oppressive measure, she was not unmindful of her federal duties and obligations, nor did she permit her fidelity to the Union and the Government to be impaired in her resistance to oppression. She had the sagacity to see, long in advance, the corrupting and dangerous consequences of a large and permanent surplus, of which experience has since given such calamitous evidence; and has the merit of taking the most intrepid stand against it, while others were unheeding or indifferent to consequences. To guard against this danger, every article imported, that did not come in conflict with the protective policy, was made, by the Compromise Act, duty free to the 30th of June next, which, in the aggregate, equalled in value those on which the duties were retained; that is, one-half the duties was forthwith repealed, but to prevent the possibility of abuse, and to guard, in the most effectual manner, the two leading provisions of the act, it was expressly provided that, after that time, all articles of imports, except a small list contained in the 5th section, should be subject to duty, and that no duty should thereafter exceed 20 per cent. ad valorem. The intention of the former provision was to prevent the enlargement of the free list, and thereby raising the duties proportionally higher on the dutied articles; and of the latter, that, under no pretext whatever, for protection or revenue, should duties be raised above 20 per cent. which was regarded as the extreme limits

to which they ought ever to be carried for revenue. These were the guards on which I relied to prevent a return to the protective policy, or the raising of the revenue beyond what the necessary and economical wants of the Government might require, and which, if they should be respected, will prove all-sufficient for the purpose intended.

Having secured these essential points, as far as the State and the Union at large were concerned, the next object was, so to reduce the duties on the protected articles, as to prevent any shock to the manufacturing interests. The State waged no war against them. Her opposition was to the unconstitutional and oppressive means by which it was sought to promote them at the expense of the other great interests of the community. She wished the manufacturers well; and in proposing to bring down the duties gradually, through a slow process of many years, to the revenue point, I but faithfully represented her feelings. My first proposition was, to allow seven years, and to take one-seventh annually off; but, finally, I acquiesced in extending the time two years more, and to reduce the duties as provided for by the act. So far from being an opponent to manufacturing industry, there is not one within the reach of my voice, who puts a higher estimate on those arts, mechanical and chemical, by which matter is subjected to the dominion of mind. I regard them as the very basis of civilization, and the principal means designed by Providence for the future progress and improvement of our race. They will be found in progress to react on the moral and political world,—thereby producing greater and more salutary changes in both, than all other causes combined.

Such were the leading objects of the Compromise Act. It is admitted on all hands, that the provisions in favor of the manufacturing interest have been faithfully observed on our part. We have patiently waited the nine years of slow reduction, and resisted every attempt to make changes against

the manufacturing interest, even when they would have operated in our favor,—and for which we have received the thanks of those who represented it on this floor. And now, that the time has arrived, when it is our turn to enjoy its benefits, they who called on us to adhere to the act, when the interest of the manufacturers was at stake, and commended us for our fidelity to the compromise, turn round, when it suits their interest, and coolly and openly violate every provision in our favor, with the single exception already noticed, —as I shall next proceed to show.

For this purpose it will be necessary to go back to the extraordinary session—for then the violation commenced. Going then back, and passing over minor points, I charge upon the Senator and his friends, in the first place, a palpable infraction of the compromise, in raising the duties without making the least effort to reduce the expenditures of the Government, to what is necessary to its economical administration. The act is positive,—that no more revenue should be raised than what such administration might require; a provision just as essential as that which requires that no duty should be imposed but for revenue. Acting, then, in the spirit of the act, the first step towards a revision of the duties should have been to ascertain what amount of revenue would be required for the economical administration of the Government. Was that done? Nothing like it; but the very reverse. Not an effort was made to ascertain what the wants of the treasury required; not one to reduce the expenditures, although the Senator and his party had come in on a solemn pledge to make a great reduction. Instead of this, every effort was made to increase the expenditures and add to the loans,—forgetful alike of the compromise and pledges to the people,—and at the same time, to reduce the revenue by giving away the income from the lands, with the intention of increasing the duties on the imports.

The next charge I make is a great enlargement of the

list of free articles by the act increasing the duties passed at the same session, in direct violation of the fifth section of the Compromise Act. Foreseeing that the protective system might again be renewed, and high duties imposed, simply by extending the list of free articles, and throwing the whole burden of supporting the Government on the articles selected for protection, that section enumerates a short list of articles which should be duty free after the 30th June next, and provided that all which were not enumerated should be subject to duties after that period, in order to guard against such abuses. In the face of this provision, the act alluded to increased the list of free articles many-fold, taking the amount stated by the Senator, as contained in that list, to be correct.

Such were the infractions of the act during that session; and it is now proposed by these resolutions to give the finishing blow by raising the duties, on an average, to thirty per centum on all articles not made free, in express violation of the main provision in the compromise, that no duty should be laid above 20 per cent. after the 30th of June next. The Senator admits this to be an infraction, but pleads necessity. Now, Sir, I admit, if there be indeed a necessity—if, after reducing the expenditures of the Government to its just and economical wants, and the list of free articles to that provided for in the act, and returning the revenue from the lands to the treasury, there should be a deficit, which could not be met, without going beyond the 20 per cent., a case would be made out that might justify it. But I utterly deny, in the first place, that, if all had been done which ought to have been, there would be any such necessity; and in the next, the right to plead a necessity of his own creating. I go further, and call on him to explain how he can, in fairness or honor, after what occurred at the extraordinary session, propose, as he has in these resolutions, to repeal the provision in the Distribution Act which makes it void, if the

duties should be raised above 20 per cent. It is well known to all, that it could not have passed without the insertion of that provision,—and that on its passage depended that of the Bankrupt Bill. Now I ask him how, after having secured the passage of two such important measures, can he reconcile it with what is fair or honorable, to turn round and propose to repeal the very provision by which their passage was effected?

But the Senator denies that the necessity is of his creating,—and insists that if the revenue from the land were restored, rigid economy enforced, and all the provisions of the compromise respected, there would not be sufficient income to meet the necessary and economical wants of the Government. I take issue with him on the fact, and shall now proceed to show, that even on his own data, there would be ample revenue without raising the duties above 20 per cent.

According to the estimates of the Senator, the whole amount of appropriations, excluding public debt required for the service of the year, permanent and current, under the various heads of civil list and miscellaneous, army and navy in all their branches, is twenty millions five hundred thousand dollars. To which he adds for other appropriations, not included in these, one million five hundred thousand dollars,—which can mean nothing but contingent, unforeseen expenditures; and for the debt, two millions of dollars, making in the aggregate twenty-four millions of dollars. To this he proposes to add two millions more annually, as a reserved fund to meet contingencies, to which I object, on the ground that the object is already provided for by the one million five hundred thousand dollars for appropriations not included in the twenty millions five hundred thousand. There can be no demand on the treasury but through appropriations, and there can be no meaning attached to contingent appropriations, but such unforeseen expenditures as are not usually included under the various heads of civil list,

miscellaneous, army and navy. The Senator has clearly attempted to make a distinction that does not exist,—and in consequence, made a double provision for the same object. Of the two, I take the less sum, as I regard it ample as a permanent contingent fund, which will make his estimate for the year, thus corrected, to be twenty-four millions of dollars —a sum surely amply large.

Let us now turn to the ways and means to meet this large demand on the treasury. The first item is the revenue from the lands, which ought to yield, under proper management an average of at least three millions five hundred thousand dollars for the next five years, and which would reduce the amount to be provided for from the imposts to twenty millions five hundred thousand dollars. From this there ought to be deducted at least five hundred thousand dollars from savings that may be made in the collection of the customs, which the Senator estimates at one million six hundred thousand. I find, taking a series of years, under the tariff of 1828, with its exorbitant duties, and the consequent great increase of expenditures to guard against smuggling and frauds, that the collection of about an equal sum cost 4.12 per cent. Allowing the same rate under the more simple and moderate system of duties, according even to the scheme of the Senator, and the cost of collection, instead of the sum proposed, would be about eight hundred and fifty thousand dollars, making a difference of seven hundred and fifty thousand; but for the facility of counting, and to be liberal, I allow but half a million for saving. That would reduce the sum to be provided for by duties, to twenty millions of dollars; and the next question is, What rate of duty will be necessary to meet this amount?

Here, again, I will take the estimate of the Senator as the basis of my calculation. He bases his estimates of the imports, on the probable amount of the exports,—adding fifteen per cent. to the former for the profits of freight and

trade. On this basis he estimates the probable amount of imports at one hundred and nineteen millions of dollars—a sum probably too low,—taking the average of the next five years, provided the duties shall be moderate, and no adverse unforeseen cause should intervene. From this sum he deducted ten millions to meet the interest abroad, on account of the debts of the States; a sum, for the reason assigned by the Senator from New Hampshire behind me, too large at least by three millions of dollars. Deduct seven millions on that account, and there would be left one hundred and twelve millions. The Senator next deducted eighteen millions for articles made free by the act of the extra session, not including coffee and tea, which he estimates at twelve millions. I cannot assent to the deduction to the extent stated,—as it is clearly against the provisions of the Compromise Act, and beyond the permanent free list provided for by that act. What would be the amount within its limits I have not been able to ascertain; but on the best data I have been able to obtain, I would not suppose that it would much if any exceed three millions five hundred thousand dollars, not including gold and silver. I exclude these because they are constantly flowing in and out, according to the demands of trade,—the imports of one year becoming the exports of the next, and the reverse, except the small amount that may be permanently added to the circulation or be used in the country. The sum of three millions five hundred thousand dollars deducted from the hundred and twelve millions, would leave, on the data assumed, a hundred and eight millions five hundred thousand as the probable annual amount of dutiable articles, that would be imported for home consumption. Twenty per cent. on that sum would give twenty-one million seven hundred thousand dollars, a sum ample to meet the amount estimated, and cover the necessary expenses of collection, and pay the bounties and premiums properly chargeable on the treasury.

But in making these calculations, I by no means wish to be understood as acquiescing in the estimates which the Senator has made of what ought to be the expenditures of the Government. I hold them much too high. With an efficient system of administration, actuated by a true spirit of economy, seventeen millions would be ample to meet all expenses, without impairing the efficiency of the Government, as I have shown on a former occasion; to raise which an average duty of twelve or fifteen per cent. instead of twenty, would, with the aid of the revenue from the lands, be abundantly sufficient.

Having now shown that, while the Senator professes to respect the compromise, he has, in fact, violated, or proposes to violate, all the essential provisions of the act,—and that his plea of necessity for proposing to raise the duties above the twenty per cent. utterly fails him, it may be asked, How is this contradiction in his course to be explained? Is he deluded, or does he intend to delude others? To suppose the latter would impeach his sincerity, which I do not intend to question. But how is delusion to be accounted for? It results from his position.

He is a tariff man, decidedly opposed to free trade. We have his own authority for the assertion. According to his views, free trade is among the greatest curses that could befall the country, and a high protective tariff among the greatest blessings. While he thus thinks and feels, circumstances not necessary to be explained, have placed him in such relation to the Compromise Act, that he is sincerely desirous to respect its provisions; but the misfortune is, that his respect for it is not compatible with his strong attachment to his long cherished system of policy. There is no estimating the force of self-delusion in a position so contradictory,—of which the course of the Senator on this occasion furnishes a striking illustration. Entertaining the opinion he does, it is natural that he should desire to carry out in practice his high re-

strictive notions on one side, and opposition to free trade on the other; nor is it to be wondered at that his respect for the Compromise Act should have to yield, as far as it stands in way of his favorite system; especially as he has persuaded himself that the experiment, as he chooses to call it, of free trade has utterly failed on trial. Under this impression, he boldly asserted that the reduction of the duties had impaired the productive energy of the country, and had proved a curse, not only to the portion of the country which so strongly advocated it, but to the very State by whose efforts the protective policy was overthrown.

Here, again, I take issue on the fact with the Senator. I deny, in the first place, that we have had free trade, or any thing that comes near to it. It is true that about one-half of the articles were made duty free,—but on the residue, and they the most important, but a small reduction of duties, comparatively speaking, was made prior to the 1st of January last. Till then the duty on most of the articles was at a high protective rate. But while I deny that we have had free trade, I equally deny that the reduction which has taken place has in any degree impaired the productive energies of the country, or proved a curse to the staple States. On the contrary, I assert, and shall prove, that its effects have equalled the most sanguine expectations of the friends of free trade, notwithstanding the highly adverse circumstances under which it has taken place: a currency fluctuating and deranged,— credit universally impaired,—the machinery of commerce broken up, and our principal customer—the one on whom we mainly depend for the sales of our produce abroad, and the purchase of our supplies—in a state of the greatest commercial embarrassment. In the midst of all these opposing and formidable difficulties, the productive energies of the country have advanced beyond all former example, under the wholesome stimulus of reduction of duties, as I shall next proceed to show.

I shall draw my facts principally from the annual commercial document from the Treasury Department, which gives full and authentic information of the commerce and navigation of the year, in all their relations,—and shall begin with that portion of our domestic products which is shipped abroad, and which constitutes the basis of our commerce and navigation. I shall not include the imports, not because they would give a less favorable view of our industrial pursuits, but because they would give one that was apparently too favorable during the last four years, owing to the vast extent of loans contracted abroad by many of the States, and which were principally returned in merchandise of various descriptions. Nor shall I include the carrying trade, because it is little affected by the rate of duties, as they are returned in the shape of drawbacks on reshipment of the imported articles.

In order to have a full and satisfactory view of the relative effects of increasing and reducing the duties on our export trade, I have arranged in table A, the aggregate amount of all our domestic exports, including manufactures, for sixteen years beginning with 1825, the first year under the first tariff laid professedly for protection, and ending with 1840, —divided into two equal periods of eight years each; the first ending with 1832 and comprehending the period of the two protective tariffs of 1824 and 1828,—and the last extending from the termination of the first to 1840 inclusive. I have not included 1841, because it would impede the facility of comparing the two periods, by making one longer than the other, and not because it would be less favorable than the other years, since the commencement of the reduction. I have extended the first to 1833, notwithstanding the reduction of the duties on coffee, tea and some other articles began in 1830,—and which as a reference to the table will show, gave a considerable impulse to our export trade in 1831 and 1832, and a corresponding increase of the

exports to the period of high protective duties, which fairly belongs to that of reduction. The great reduction took place in March, 1833, under the Compromise Act, and with that year accordingly I commence the period of reduction,—to the effects of which the Senator attributes such disastrous results to the industry of the country. With these remarks I shall now proceed to compare the two periods, in order to ascertain how far facts will sustain or refute his bold declamatory assertions.

The aggregate amount of the value of the exports, in the first series of years, from 1824 to 1833, the period when the protective policy was in its greatest vigor, was $469,198,564, making an average of $57,399,945 per annum, throughout the period; while the aggregate amount of value in the last, the period of reduction under the compromise, was $768,352,365, giving an average of $96,442,795, and making an aggregate gain, in the period of reduction, over that of protection, of $299,174,791, and an average annual gain of $38,646,855, being rather more than 65 per cent. on the average of the former period; an increase without example in any former period of the history of our commerce. This vast increase has had a corresponding effect on our tonnage in the foreign and coasting trade, as will appear by reference to table B, which contains a statement of our tonnage for the two periods. The aggregate amount of the foreign tonnage at the close of the first period was, in the foreign, 686,989, and the coasting trade 752,456 tons,—making the aggregate 1,439,450 tons,—against the last, in the foreign trade, of 896,664, and the coasting, 1,280,999; making, in the aggregate, 2,180,763,—and an increase, during the period of reduction of duties, over that of protection, of 741,303 tons: while, during the first, there was an actual falling off in the tonnage, as the table will show.

But it will no doubt be objected, that this mighty impulse from reduction, which has so vastly increased our ex-

ports and tonnage, was confined to the great agricultural staples; and that the effects will be found to be the reverse on the manufacturing industry of the country. The very opposite is the fact. So far from falling off, it is the very branch of our exports that has received the greatest impulse, as will be apparent by reference to table C, in which the exports, in value, of domestic manufactures are arranged in tabular form, divided into the same periods. It will appear, by reference to it, that the whole value of the exports of domestic manufactures, during the period of high protective duties, was but $43,180,755. So far from increasing, there was an actual falling off, comparing the last with the first year of the series, of $505,633. Now turn to the period of reduction of duties, and mark the contrast. Instead of falling off, the exports increased to $65,917,018 during the period; and, comparing the last year of the series with the last of that of high protective duties, the increase will be found to be $7,798,207, greater than the former year by nearly three millions of dollars. This vast increase of the exports of domestic manufactures, even beyond the other branches of exports, is attributable mainly to the fact, that a large portion of the articles, for which they were exchanged, were made duty free during the period under the compromise; while the greater part of those for which the great agricultural staples were exchanged, were still subject to high duties.

But it has been said that this vast increase has resulted from the embarrassed state of the home market, which forced the manufacturers to go abroad to find purchasers; and that it is rather an evidence of their depression than their prosperity. To test the truth of this objection, I propose to select the manufacture of cotton, which furnishes the largest item in the exports of domestic manufactures; and shall show conclusively that the increase of exports under the reduction of duties, so far from being produced by the cause assigned, is but the natural result of the healthy and flour-

ishing condition of that important branch of our industry. I shall go to its head-quarters, Lowell and Boston, for my proof, as affording the best possible evidence of its actual condition throughout the manufacturing region. I shall begin at the former place,—and in the absence of all official documents, shall draw from the highly respectable writer of the money articles in the New-York Herald,—who appears to have drawn from some authentic source, if we may judge from the minuteness of his statements.

According to his statement, the entire amount of cotton goods made at Lowell, in 1839, was 58,263,400 yards, and in 1840, 73,853,400 yards,—making an increase, in a single year, of 15,590,000 yards, more than 25 per cent. on the entire growth in that branch in that flourishing town, from its foundation to the beginning of the year 1840! But great as this is, it is not equal, in proportion, to the quantity of the raw article consumed, which in the former year was 19,258,600 pounds, and the latter 28,764,000; an increase of 9,509,600,—more than 50 per cent. in one year, on the entire increase of the consumption, up to the commencement of the year! What makes it the more striking, is the fact, that this great increase took place under a very great fall of price, averaging fully 22 per cent. But notwithstanding this great fall, the aggregate gain from the fall in the price of the raw material, and extension of the operations, exceeded that of 1839 by $195,922—affording conclusive proof that low prices and increased gain may be reconciled in manufacturing industry.

But it may be said that the gain is not in proportion to the extension of the operations;—and that so far from indicating a prosperous condition, it is indicative of the reverse. To this I reply, that if the fact be as supposed—if the year 1840 was really a bad, instead of a good year, for the manufacture of cotton in Massachusetts and the adjacent region—the proof will be found in the falling off of their operations

the next year. But, so far from this being the case, I shall show, by conclusive evidence, that their increase in 1841 exceeded all preceding years, if we may judge from the quantity of the raw material required,—than which there can be nothing safer by which to judge.

I hold in my hand a statement of the amount of cotton imported into Boston from 1835 to 1840, inclusive; and from the 1st of January, 1841, to the 25th May, of the same year,—being rather less than five months,—taken from the Boston Atlas, which may be regarded as good authority on the subject. Now, assuming, as I safely may, that the cotton imported into Boston is almost exclusively for domestic use, and is consumed by that large portion of our cotton manufacturers, who draw their supply from thence, we will have, in the quantity imported, very nearly, the quantity consumed; and, in that consumed, the extent of the manufacturing operations in the entire circle, which draws its supplies from Boston. Now, what says the statement? In 1835 there were imported, in round numbers, into Boston, 80,000 bales; in 1836, 82,000; in 1837, 82,000; in 1838, 96,000; in 1839, 94,000; in 1840, 136,000; and from 1st January to the 26th May, 1841, 93,000; and for the year, as estimated by the Editor of the Atlas, 150,000,—almost double the consumption, as compared to 1835, in the short space of eight years, and increasing more and more rapidly with the reduction of duties, and most rapidly, just at the period when the final great reduction is about to take place. I rejoice at all this. I rejoice, because it is proof conclusive of the great prosperity, up to that period, of this important branch of our industry; because it is proof of the beneficial and stimulating effect of decreasing duties; because I see in such results that the great staple interest of the South, and the great manufacturing interest of the North may be reconciled,—and that each will find, on fair trial, their mutual interest in low duties and a sound currency, as the only safe

and solid protection. This great and striking result is not, be assured, accidental. It comes from fixed laws, which only require to be known, and to be acted on, to give unbounded prosperity to the country. But I had almost forgotten to ask, How can this vast increase of 1841, compared with that of 1840, be reconciled with the supposed unproductive condition of the manufacture of cotton in the latter year? Have our New England brethren forgotten their sagacity and prudence, and gone on rapidly extending their operations, in spite of a decaying business?

But I have not yet exhausted the proof of the great and beneficial effects resulting from the reduction of the duties. It has been alleged as a conclusive objection against the reduction of duties, that it would inundate the country with imports of foreign production, the belief of which has spread great alarm among the manufacturing interests of the country. I admit that the injudicious and sudden reduction at the beginning of this year, and that which is to take place on the 30th June next, may, to a considerable extent, have the temporary effect apprehended. I was opposed to throwing so great a reduction on the termination of the series of years of reduction fixed by the compromise; and this for the reason that it would have this effect. Had the reduction been equally distributed over the whole period, as I proposed, —or had the offer I made at the extraordinary session been accepted, of bringing down the duties above 20 per cent. on the protected articles gradually, and raising those on the free in the same way, the evil would have been wholly avoided; but other counsel prevailed. The mischief is now done, and must be endured. It is, however, some consolation to think it will be but temporary. Low duties and a sound currency will prove the most effective preventive to over-importation, and the alarm, in the end, will prove to be unfounded. That reduction of duties has not been followed by the evil apprehended, we have strong proof in the fact that it has not been

the case under the regular and gradual reduction provided for by the compromise, quite down to the last great reduction. In 1839 the importation of cotton goods, of all descriptions, amounted in value to $13,913,393, and in 1840 to but $6,594,484; making a reduction in one year, under the increasing reduction of duties, of $7,408,909; more than equal to the whole amount of the importation of the year; and yet, with all these decisive proofs of their great and growing prosperity, the cotton and other manufacturing interests are pouring in petitions day after day by thousands, crying out for relief, and asking for high and oppressive duties on almost every article of consumption, for their benefit, at the expense of the rest of the community; and this, too, when the great staple exporting interest, if we are to believe the members representing these petitioners on this floor, is at the same time in the most depressed and embarrassed condition.

But it is attempted to explain these striking proofs of prosperity, which cannot be denied, by stating that they occurred under high protective duties, as only four-tenths of the duties above 20 per cent. on protected articles had been taken off prior to the 1st January last, and that what remained was ample for protection; and that it is to this, and not the reduction of the duties, that the great increase of the manufacture of cotton is to be attributed. In reply, I ask, If protection, and not reduction of duties, be in fact the cause, how is it to be explained that so little progress was made by the cotton manufactories during the high protective duties of the tariffs of 1824 and 1828? And how has it happened, that the progress has been more and more rapid, just in proportion as the duties have been reduced, under the compromise, as the vast increase of the importation of the raw material into the port of Boston clearly indicates? These facts prove, beyond controversy, that the great increase in question did not depend on the protective policy,

but the reverse,—the reduction of duties,—and may be fairly attributed to the effect which the repeal and the reduction of duties under that act has had, *in cheapening the cost of production at home, and enlarging the market for the product of our labor abroad, by removing so many and such oppressive burdens from our foreign exchanges.*

Having now shown the relative effects of protection and the reduction of duties on the export trade generally, and on the tonnage, foreign and coasting, and the manufacture and consumption of cotton—I shall now proceed to trace their comparative effects on the three great agricultural staples, cotton, rice and tobacco,—all of which are the product of that portion of the Union which the Senator and his friends would persuade us has suffered so much from the reduction of the duties. I shall begin with 1820 and conclude with 1840, making twenty-one years, which I shall divide into three equal periods of seven years each; the first to extend to 1826 inclusive, the second to 1833 inclusive, and the last to 1841. The first will conclude with the period which fairly represents the effects of the high duties under the act of 1816, with one or two supplemental acts passed at the close of the late war; the second, that under the protective tariffs of 1824 and 1828; and the last, that under the compromise or reduction of duties. I have commenced the terms of protection and reduction at a little later period than in making out the table of exports generally, because the agricultural staples are sold and shipped in the fiscal year subsequent to their production, and are not materially affected by a change of duty till the succeeding year. It has also the advantage of being divisible into three equal parts, nearly coinciding with those marked and dissimilar periods of legislation, in reference to the duties on imports. The disturbing effects of the late war on the commerce of the country, had, in a great measure, ceased at the date of the commencement of the first period. With these explanatory remarks, I shall

begin with cotton, the leading article, and shall draw my facts from official documents, unless otherwise stated.

Table marked D contains a statement of the value of the exports of cotton for each year during this long period, divided, as already stated, into periods of seven years; by reference to which, it will be seen that the aggregate value of the exports for the first period of seven years, from 1819 to 1826 inclusive, was $170,765,993. This period was one of severe contraction of the currency, following the great expansion in consequence of the universal suspension of all the banks south of New England, from 1813 to 1817, and was marked by great commercial and pecuniary embarrassment.

The aggregate exports in value for the next period of seven years, from the termination of the first to 1833 inclusive, was $201,302,247 (see same table),—a period throughout of high protective duties, without relaxation, excepting the two last years, when the duties on coffee, tea, and some other articles were greatly reduced, and which, as will be seen by reference to the table, had a very sensible effect in increasing the exports of those years. The increase of the exports in the whole of this period, compared with the former, was but $31,536,254, about 1¼ per cent., being a rate per cent. compared to the increase of population, of about $\frac{1}{17}$ only. But even this inconsiderable increase, in a period marked by no extraordinary vicissitude or embarrassment in the commerce or currency of the country, over one of severe contraction and embarrassment, occurred principally during the last two years of the series, after the reduction of the duties already alluded to, and to which it may be fairly attributed.

The aggregate increase for the last period of seven years, from 1833, the year of the compromise, to 1841, was $435,300,830 (see same table),—a period throughout of reduction, making an increase of $233,998,583, equal to about 115 per cent., compared to the aggregate value of the period

of high protective tariffs,—and four times greater than the average increase of our population for the same period;—and this for a large portion of the time of unexampled derangement of the currency and pecuniary and commercial embarrassment.

I shall now pass to the next most important of our great agricultural staples, tobacco, referring for a detailed view to table marked E, and for explanation as to each period, the remarks made in reference to cotton.

The aggregate export, in value, of tobacco for the first period was $43,441,569; and of the second, $39,983,570,—being an actual falling off under the high, increased protective duties of the acts of 1824 and 1828, compared to the lower, but still high duties of the former period, of $3,557,899,—and this too in the absence of all adverse causes, except the high oppressive duties during that period.

Turn now to the period of reduction, and witness the result, notwithstanding all its embarrassments. The aggregate export of tobacco, during that period, increased to $57,809,098,—an increase, compared to the period of protection, of $17,945,528—equal to about 43 per cent. on the former, and nearly double compared to the increase of population. And yet, with this striking fact, taken from official documents, there are those residing in the tobacco region, who, not content with this vast and rapid increase, would resort to retaliatory duties on silks, linens, wines, and the other articles made free of duty by the Compromise Act, in order to increase still more the tobacco trade; that is, they would lay heavy duties on the very articles, the exception of which from duties has given it this mighty increase, in the hopeless struggle of compelling a change in the long-established system of finance, by which tobacco has been subject to high duties in the old nations of Europe. If what is aimed at could be accomplished, it would be well, though I doubt whether it would be to the advantage of our tobacco trade, even

if it could be done; but if it should fail, the loss would be certain and incalculable to the tobacco growers. The trade would be sacrificed in the attempt. The duty already imposed, at the extra session, of 20 per cent. will do much to cripple the trade.

I shall next proceed to the least considerable of the three staples, rice, referring for detailed information to the table F,—and here we have the only unfavorable result which any of the items of exports I have examined give. The aggregate exports of rice, in value, during the first period, were $12,334,369, and in the second, $16,308,842, showing a gain of $3,974,573—and in the third, of $15,314,739, showing a falling off of $994,103 in the exports—probably caused by the greater consumption at home, in consequence of opening the interior to its use by means of railroads and canals, and the drawing off of hands engaged in the culture of rice, to be employed in that of cotton.

By combining the whole, it will appear that the aggregate gain on the three staples in the second period, that of high protective duties, compared with the first, that of lower, but still high duties and great commercial and pecuniary embarrassment—deducting the falling off on tobacco, and adding the gain on rice—is only $31,953,828 in seven years, on an aggregate export, during the first period, of $226,538,201 —less than 1⅞ per cent. for the whole period; being an increase, compared to that of the population for the time, of about one-sixteenth only;—while the aggregate gain of the last period (that of reduction of duties) on the three staples combined, deducting the loss on rice, and adding the gain on tobacco, is—compared to the second, that of high protective duties—$250,950,958, in the seven years; being an increase greater than the whole amount of the aggregate exports of the preceding period, and greater than the ratio of the increase of population for the time, by more than 3½ to one.

Such is the mighty impulse, which (I will not say free

trade, for we are still far from it, but which) a reduction of duties has given to the export trade of our great agricultural staples, from which the commerce and navigation of the country derive their main support. There can be no mistake. The facts are drawn from official sources, and do not admit of any error which can materially vary the result.

But I admit that there is great pecuniary embarrassment and distress throughout the whole staple region, notwithstanding this vast increase of the production and value of their great staples. The fact being admitted, the question is, What is the cause? The Senator and his friends attribute it to the reduction of the duties. I deny it. The official documents deny it; for nothing is more certain than that the income of the staple States, taken as a whole, never has been so great; no, nothing like it in proportion to its population, as it has been during the period since the adoption of the compromise. Be, then, the cause what it may, it is certain that the reduction of duties is not—and that, so far from this, it has taken place in spite of, and not in consequence of reduction. What, then, is it? I will tell you—indebtedness—universal, deep indebtedness of States, corporations, and individuals—followed by a forced and sudden liquidation. This is the obvious and unquestionable cause. And what has caused this? What but a vast and long continued expansion of currency, which raised prices beyond all former rates, and which, by its delusive effects, turned the whole community into a body of speculators, in the eager expectation of amassing sudden fortunes? And what caused this great and disastrous expansion? The banks, combined with the high and oppressive duties imposed by the tariff of 1828. It was that measure, which by its necessary operation turned exchanges in favor of this country, and, by necessary consequences, as I have proved on a former occasion,* caused the great expansion which followed its passage,

* Speech on the assumption of State debts, delivered in 1840.

and which, by a series of causes, explained on the same occasion, continued to keep exchanges either in our favor or about par, until the suspension in 1837. Another powerful cause for this expansion, resulting from high duties, and springing from the same act, was the vast surplus revenue which it accumulated in the treasury, or rather in the banks, as its depositories; and which became, in fact, bank capital in its worst and most corrupting form, and did more to overthrow them and cause the present embarrassed state of the Government and country, than all other causes combined. It was the proximate cause of the then suspension; and, in turn, of their present ruined condition, and that of the forced liquidation under which the country is suffering. These causes, with the bankrupt law and the return of stocks from abroad, followed by a drain of specie, have produced that universal and intense pecuniary embarrassment and distress of which we hear such complaint. They belong to the banking and tariff systems, and not to the reduction of duties; which so far from being the cause, has done much to mitigate the evil, by the vast addition it has made to the income of the country, as has been shown. But, in addition to these, the great staple regions, especially the cotton region of the Southwest, have had great and peculiar difficulties of their own. The rapid extinction of the Indian titles to a vast and fertile territory in that quarter, with a climate and soil more congenial to the growth of cotton than any of the Atlantic States—which, in combination with the expanded state of the currency, led to bold and reckless speculation, on a great scale, at the highest prices, in land and negroes, and which have overwhelmed the Southwestern States with debt; and notwithstanding the vast increase of their income, have left them in their present embarrassed condition.

These, I repeat, are the great causes of the distress and embarrassments of the staple States, and, I may add, through

them, of the Union. They come not from free-trade, as the Senator would have us believe; but from his own favorite system of banks and tariffs, to which he so earnestly invites the country again to return. His is the stimulating treatment. The suffering patient is trembling in every joint, and almost ready to sink from his late debaucheries:—his prescription is to return again to the bottle—to drink from the same deceitful bowl, instead of honestly prescribing total abstinence as the only effectual remedy.

But to return to the documents, which I have not exhausted. The Senator asserted that the price of cotton has been lower during the period of reduction, than under his old and cherished system of protection:—and here, again, I meet him on the fact. In order to test the truth of his assertion, I have formed a tabular statement of the quantity and price of cotton for each year from 1819 to 1841, divided, as in the case of the exports, into three periods, of seven years each, corresponding with the former. [The table will be found in the appendix marked G.] The statement from 1819 to 1836, is taken from a laborious and carefully compiled report of the Senator from New Hampshire (Mr. Woodbury), made while he was Secretary of the Treasury, and which contains a great deal of valuable information in relation to this important staple. The price, for the remaining portions of the period, is from a monthly statement of the prices of cotton at New Orleans, taking the average between the highest and the lowest price each month, and the quantity from several sources, but principally from a carefully drawn statement, by one apparently well informed, and published in the Southern Banner.

By reference to the table it will be seen that the aggregate quantity produced in the first part of the period, from 1819 to 1826 inclusive, was 1,555 millions of pounds; that the average price was 15⅛ cents per pound; and the value $234,675,000:—and that, in the second, from 1826

to 1834, the quantity was 2,530 millions of pounds, the average price 10 cents, and the value $263,387,500—showing a falling off in the average price of rather more than one-third, and an aggregate increase of value of only $28,712,500 in the whole seven years. Now note the difference under the influence of the reduction of the duties. The aggregate quantity increased to 3,777 millions of pounds, the price increased to an average of 13⅓ cents per pound, and the aggregate value to $496,516,500—making an increase for the seven years of $223,730,000. But as great and striking as this result is, there is reason to believe, that it is below the reality. Having the average price for the respective periods, and the value of the exports for the same, it is easy to ascertain the quantity shipped to foreign countries on those data, which, if deducted from the whole quantity produced, will give what would be left for home consumption. By applying this calculation to the respective periods, it will be found that in the two former periods, a considerably greater amount is left for home consumption, than what the home market is usually estimated to require, during those periods—and in the last considerably less. This would indicate a corresponding error either in the price or the quantity, in favor of the two first, against the last period; which may, in part, be accounted for from the fact that, in making up the estimate of the price prior to 1835, the Secretary of the Treasury took the aggregate value, including Sea Island as well as the short staple, and which of course would considerably increase the average price of the whole, at a period when the former bore a larger proportion to the whole than at present. The prices in the table since 1835, are taken exclusively from the short staple. But, be the cause what it may, it is probable, on the data already stated, the value during the last period—that of reduction—ought to be raised not less than twenty millions, or those of the preceding reduced that amount.

And here I deem it proper to notice the triumphant air with which the Senator noticed the present low price of cotton, which he asserted to be lower than it has been since the late war. It is, indeed, low, very low—too much so to bear the burden of high protective duties; but, low as it is, it is not lower than it was in 1831, under the operation of his favorite system, and to which he invites us to return. But the Senator seems to forget that price is not the only element by which the prosperity of cotton, or any other product is to be estimated. Quantity is fully as important as price itself, in estimating the income of those engaged in the production. Now, Sir, let us take into the calculation both these elements, in estimating the income of the cotton planters from the crop of 1830, sold in 1831, and that of 1841, sold this year, estimated at the same price, say an average of 9 cents, or any other amount. The crop of 1830 is put down at 350 millions of pounds, which at 9 cents would give $31,500,000; and that of 1841, estimated at one million seven hundred thousand bales, say four hundred pounds to the bale, would give 680 millions of pounds, which at 9 cents would give $61,200,000, making a difference of $29,700,000 in favor of the latter, nearly double the former. It is this great increase in quantity produced under the stimulus of low duties, which, if we were permitted to enjoy its advantages, would add so greatly to the prosperity of the cotton interest.

Such are the facts drawn almost exclusively from official documents, and such the results, proving beyond all doubt the deadening effects of high protective duties on the productive energy of the country, and the vivifying effects of a reduction of duties. Proof more conclusive of the one and the other cannot be offered; but it would be vain to expect it to make the slightest impression on the party that now controls the Government. The leading interests—those which control all their actions—are banks, tariffs, stocks,

paper, monopolies, and above all, that mistletoe interest which lives on the Government itself, and flourishes most when its exactions are the greatest, and its expenditures the most profuse. High duties is the life-blood of this powerful combination; and be the proof of its pernicious effects on the community at large ever so clear—as clear as the sun at noon, it would make no impression on them. It is to politics, and not political economy, they look; and they would readily sacrifice the manufactures themselves to save their party and its political ascendency. But I say to them, that it is in vain you resist light and reason. The freedom of trade has its foundation in the deep and durable basis of truth, and will vindicate itself. It draws its origin from on high. It emanates from the Divine will, and is designed, in its dispensation, to perform an important part in binding together in concord and peace the nations of the earth, and in extending far and wide the blessings of civilization. In fulfilment of this high design, severe penalties are annexed to a departure from its laws. But this is not the proper occasion to enter on these higher considerations. I hope an opportunity will be afforded when the bill comes up for the revision of the duties for which these resolutions are, I suppose, intended to prepare the way. When it comes to be acted on, I intend to embrace the opportunity to trace the laws of which the facts and results, which I have stated from official sources, are but consequences—laws as fixed and immutable as those which govern the material world.

As great and striking as these results are, it must be borne in mind, that they are but the effects of the *reduction* of duties,—and that, too, under the greatest embarrassment and disadvantages growing out of the protective system,—and not the full and mature fruit of free trade. What has as yet been experienced, affords but a faint conception of the wide and general prosperity which would be diffused throughout the whole community by low duties, sound currency, and

exemption from the debts and embarrassments of a false and pernicious system. If gentlemen could be persuaded to abstain from their prescriptions—leave off their nostrums—restore the revenue from the lands—economize and retrench expenditures—the youthful vigor of the patient would soon do the rest. Full and robust health would soon be restored, and a few years' experience under the benign effects of a truer and better system, would in a short time obliterate the recollection of present suffering.

Before I conclude, I feel called on to notice the frequent allusions made to South Carolina during the course of this discussion. Every one who has listened to what has been said, must have been struck with the bold assertions of the Senator and others who have taken the same side, in reference to her depression and difficulties. It has been solemnly asserted that no one could venture to say that she has realized any of the anticipated advantages from reduction of the duties. I propose to answer these bold and declamatory assertions, as I have others of like kind, by appealing to facts, resting on official documents. For this purpose I have selected the same period of twenty-one years, from 1819 to 1841, divided into the same periods of seven years each, and have formed a table marked H, giving the exports from the State for each year, and the aggregate exports from each division. Reference to it will show that the aggregate exports in value from the State during the first period, from 1819 to 1826 inclusive, was $55,545,572; and that from the next, terminating with 1833, under the operation of the two high tariffs of 1824 and 1828, the aggregate exports decreased to $52,965,513, showing a falling off of a million and a half, under high duties. Turning, then, to the period of reduction, the period depicted by gentlemen as so disastrous to the State, we shall find instead of a decrease, the aggregate exports of the period swelled to $78,338,594,—being an increase of $25,375,081, compared with the preceding period of

high duties. The effect on the imports is still more striking, both in the falling off during the period of high duties and recovering under that of reduction.

But it has been attempted to explain this rapid increase of exports on the ground that a large portion are the products of Georgia, drawn to the port of Charleston by the railroad to Hamburgh, opposite to Augusta. It is probable that there was a greater amount from Georgia during the last period, compared with the preceding, from this cause,—but nothing like sufficient to account for the increase, as would be manifest by turning to the exports and imports of Georgia, for the same period. I find on examining them, that they have followed the same laws in the two periods,—the exports remaining about stationary during the period of high duties, and the imports regularly falling off,—and both immediately and regularly increasing throughout that of the reduction; with this difference, that Georgia has increased in both even more rapidly than Carolina, probably because of her increased population. But be this as it may, it clearly shows that the great increase of Carolina is not owing to the cause to which it is attempted to attribute it.

But great as the impulse is, which has been given to her export trade, I do not deny that South Carolina, like all the other States, is suffering under great pecuniary and commercial embarrassments,—not, however, in consequence of reduction of duties, but in spite of it. Her suffering is from the same general causes already explained, with the addition of several peculiar to herself. Short crops from bad seasons for the last two years; a destructive fire in the heart of her commercial capital, which destroyed a large portion of that city; a heavy loss, estimated at about three millions of dollars, from the insolvency of the United States Bank of Pennsylvania; a large expenditure on a railroad project, which has been found impracticable; and the deranged state of the currency in the surrounding States, which has done much to

embarrass her commerce. But, in the midst of all difficulties, she stands erect, with a sound currency and unimpeached credit; and as likely to ride out the storm as any other State. Gentlemen greatly mistake, if they suppose she is so ignorant and stupid as to confound the cause of her difficulties with what has done so much to augment her means and to enable her to bear up successfully under her difficulties.

Having finished my remarks as far as they relate to these resolutions, I propose to advert, in conclusion, to a topic which has been drawn into this discussion by almost every one who has spoken on the opposite side. It would seem that there has sprung up, all at once, among our manufacturing friends, a great solicitude about us of the South, and our great staple. They look on our ruin as certain, unless something should be done to prevent it, and are ready to shed tears at the distress about to overwhelm us. They see in Hindostan a great and successful rival about to drive us entirely out of the cotton market of the world; against which, according to their opinion, there is but one refuge,—the home market, to be secured by high protective duties. To this panacea they resort for every disease that can afflict the body politic. But admit the danger, I ask of what service would the home market be to us, if we lose the foreign? We have already possession, substantially, of the home market. The whole amount of cotton goods imported for consumption in 1840, was but little more than six millions of dollars, about the one-eighth in value compared with that manufactured at home. Of the imported, by far the larger proportion are fine and light articles, which would require but a small quantity of the raw material to manufacture them; not more at the outside, I would suppose, than thirty thousand bales; so that, if every yard of the cotton goods consumed in the country was made at home, it would only make that addition to the quantity of cotton already consumed by our own manufactures. What, I ask, is to be done with the residue,

which is five or six times greater, and now finds its market abroad? Do you suppose that we are such simpletons as to assent to high duties on all we consume—to be highly taxed in all that we eat, drink or wear, for such paltry consideration? But suppose we should be simple enough to be gulled by so shallow a device, what security have we, if the East India cotton should prove to be cheaper than ours, as you allege it will, that the duty which would be laid on it might not be repealed, just as you have repealed that on indigo, raw hides, and many other articles, which might be supplied from our own soil? You must pardon me. I cannot take your word, after the ingenuity you have shown, in construing away the Compromise Act. You must excuse me if I am a little suspicious and jealous after what I have witnessed. You must redeem the existing pledges before you ask me to accept of another.

But is the danger really so great as gentlemen represent? Are we, in reality, about to find a successful rival in the cultivation of cotton? If such be the fact—if the cultivation is to be lost—we shall have, at least, the poor consolation that we will not be the only sufferer. It would work a revolution in all our industrial pursuits. What would become of our foreign and domestic commerce? What of our tonnage and navigation? What of our finances? What of the great internal exchanges of the country? I will not undertake to offer an opinion on the capacity of Hindostan to produce cotton. The region is large, and the soil and climate various. The population great and wages low; but I must be permitted to doubt the success of the experiment of driving us out of the market, though backed and patronized by English capital and energy. Nor am I alone in doubting. I have taken from a late English paper (The Manchester Guardian) an article which speaks with confidence that the experiment has proved a failure. I will thank the Secretary to read it:

"CULTIVATION OF COTTON IN INDIA.—Since the publication of the letter on this subject, addressed by the Bombay Chamber of Commerce to the Indian Government, we have learnt, through the medium of letters received by the last overland mail, that the efforts of the American planters who went to the westerly side of India have so far entirely failed. Indeed, so far as we can learn, there has been very great neglect and mismanagement on almost every point connected with their operations. It would seem as if the directors of the East India Company had thought it was quite enough to send them to India, and that all further care about them was quite unnecessary; for, on their arrival in that country, they found that no direction respecting them had been given; and they were absolutely losing their time for two or three months, until instructions could be received from the Government. Then, instead of letting them survey the country, and choose the situation and soil which appeared best adapted for the culture of cotton, when instructions were received, they were taken at once to Broach and there placed under the direction of a gentleman who felt no interest in the matter, but who took upon him to choose soil and situation for them. He allotted them what was considered very good cotton land—that is, land of a strong and tenacious quality, exceedingly well adapted for the growth of the native cotton, but which former experiments had shown to be very unfavorable to the American plant, which has a large tap root, and thrives as badly in the stiff black soil in which the native cotton is grown, as carrots would thrive in a stiff clay in this country. As a matter of course, their crop of upland cotton has failed, with the exception of a very small patch which they had planted on a piece of light sandy soil, which the tap roots of the cotton were able to penetrate, and on which the plants were exceedingly luxuriant, and covered with large pods of cotton. From the strong, black soil, it was not supposed that they would be able to pick a pound per acre of good cotton. So far, therefore, the cultivation of American cotton in Upper India has made no progress; nor do we imagine that it is very likely to do so hereafter. From all that we have read on the subject of Indian cotton cultivation, it seems to us, that the best chance of success is to be found in a careful and discriminating growth of native varieties, and a careful gathering and cleaning of the produce. This was one of the objects towards which the attention of the American planters was to be directed; but, hitherto, we find very little has been done. At the date of the latest advices from Broach (the 24th of November), they were putting up a gin-house for ginning native cotton; but, owing to the great number of obstacles necessarily experienced in such a country as India, they made very slow progress with their work; and it was feared that the growing crop would be entirely over before their gins were ready. Up to the date mentioned, no satisfactory experiments had been made as to the capability of the native

cotton to stand ginning. Some trials were about to be made with a hand-gin, which, one would suppose, ought to have been the first step taken, before incurring a large expense in erecting machinery, which may prove useless. On the whole, we fear the prospect of receiving any large supply of superior cotton from India is not at present very flattering. In order to overcome the difficulties presented by the habits of the people, and by other causes, great energy and perseverance, on the part of the agents of the Indian Government intrusted with the control of the experiments, is absolutely necessary; and those qualities cannot be expected from parties who do not feel a strong interest in their success. Hitherto, we believe, the Government agents have lent but a cold and indifferent aid to the experiments; and it is, therefore, to be feared, that, unless the matter should be put into other hands, there does not seem to be much chance of any good result from experiments from which so much was expected.—*Manchester Guardian.*

In confirmation of the opinion of the writer of the article, that of intelligent individuals, well acquainted with the country, might be added, who speak with confidence that, taking price and quality into consideration, we have nothing serious to apprehend. We might, indeed, have something to fear during the continuance of the Chinese war. That country is the principal market for the cotton of Hindostan, and while it remains closed, the cotton intended for its market may be thrown in such quantities on the European as may materially depress the price. But the present relation between Great Britain and China cannot long continue. It can scarcely be doubted that the former will at last succeed in opening the market of China to the commerce of the world to a much greater extent than it has ever been heretofore; when, so far from competing with us, the cotton of Hindostan will not be sufficient to supply the demands of that great market.

But I am not ignorant that we must rely for holding the cotton market on our superior skill, industry, and capacity for producing the article. Nearly, if not altogether, one-half of the solid contents of the globe is capable of producing cotton; and that too in the portion the most populous, and where labor is the cheapest. We may have rivals

every where in a belt of 70 degrees at least, lying on each side of the equator and extending around the globe. Not only the far East, but all Western Asia, quite to the 35th or even the 40th degree of latitude, a large portion of Europe, almost all Africa, and a large portion of this continent may be said to be a cotton producing region. When the price of cotton rises high, a large portion of this immense region becomes our competitors in its production,—which invariably results in a great fall of price, when a struggle follows for the market. In that struggle, we have ever heretofore succeeded, and I have no fear, but that, with fair play on the part of our Government, we will continue to be successful against the world. We have the elements of success within us: a favorable soil and climate; a plenty of cheap land, held in fee simple, without rent, tithe, or poor-rates;—but, above all, we have a cheap and efficient body of laborers, the best fed, clothed, trained, and provided for, of any in the whole cotton-growing region, for whose labor we have paid in advance. I say paid for in advance, *for our property in our slaves is but wages purchased in advance, including the support and supplies of the laborers*, which is usually very liberal. With these advantages we may bid defiance to Hindoo or Egyptian labor, at its two or three cents a day. Ours being already paid for, is, as far as the question of competition is concerned, still cheaper, to say nothing of its superior efficiency, its better and more skilful direction, under the immediate eye of intelligent proprietors, of cheap, unencumbered land, favorable soil, and climate, and greater facility and cheapness of transportation to the great markets of the world. But this is not all. We have another and great advantage. There is not a people on earth who can so well bear the curtailing of profits as the Southern planters, when out of debt. A plantation is a little community of itself,—which, when hard pressed, can furnish within itself almost all of its supplies. Ours is a fine provision country, and, when

need be, can furnish most of its supplies of food and clothing from its own resources. In prosperous times, when the price of our staples is high, our labor is almost exclusively directed to their production ;—and then we freely and liberally part with their proceeds in exchange for horses, mules, cattle, hogs, and provisions of all descriptions from the West, and clothing and all the products of the arts from the North and East ; but when prices fall and pressure comes, we gradually retire on our own means, and draw our own supplies from within.

With these great advantages, it is not wonderful that in all the great struggles that we have had for the cotton market (they have been many and great), we have ever come off successful. It is incident to that great staple article, cotton, the first in the whole circle of commerce, to be subject to extraordinary vibrations of price from the causes to which I have alluded. At one time, prices are high and profit great; and at another, low and the profits small. It can be permanently cultivated only by those who can best go through these great vibrations. We are willing to hold it on that condition, and feel confident we can, with justice from this Government. We dread not the competition of Hindostan ; but your unequal, unconstitutional, and oppressive legislation—that legislation which pushes the expenditures of the Government to the most extravagant extent, and which places the burden of supporting the Government almost exclusively on the exchanges of our products with the rest of the world. Every dollar of tax imposed on our exchanges in the shape of duties, impairs, to that extent, our capacity to meet the severe competition to which we are exposed ; and nothing but a system of high protective duties, long continued, can prevent us from meeting it successfully. It is that which we have to fear. Let the planters avoid banks, keep out of debt, and have a sound currency and low duties,

and they may bid defiance to competition, come from what quarter it may, and look forward with confidence to a prosperity greater than they have ever yet experienced.

APPENDIX.

TABLE A.—DOMESTIC EXPORTS.

Years.	Domestic Exports.	Years.	Domestic Exports.
1825 .	$66,941,745	1833 .	$ 70,317,698
1826 .	53,055,710	1834 .	81,034,162
1827 .	58,921,691	1835 .	101,189,082
1828 .	50,669,669	1836 .	106,916,680
1829 .	55,700,193	1837 .	95,564,414
1830 .	59,462,029	1838 .	96,033,821
1831 .	61,277,057	1839 .	103,533,891
1832 .	63,137,470	1840 .	113,762,617
	$469,198,564		$768,352,365

TABLE B.—AMERICAN TONNAGE.

Years.	Registered Tonnage.	Enrolled and Licensed.	Total.
1825 .	700,787	722,323	1,423,111
1826 .	737,978	796,212	1,534,190
1827 .	747,170	873,437	1,620,607
1828 .	812,619	928,772	1,741,391
1829 .	650,142	610,654	1,260,977
1830 .	576,475	615,301	1,191,776
1831 .	620,451	647,394	1,267,846
1832 .	686,989	752,459	1,439,450
1833 .	750,026	856,122	1,606,149
1834 .	857,438	901,468	1,758,906
1835 .	885,821	939,118	1,824,939
1836 .	897,774	984,328	1,892,202
1837 .	810,447	1,086,238	1,896,685
1838 .	822,591	1,173,047	1,995,638
1839 .	834,244	1,262,234	2,096,478
1840 .	899,764	1,280,999	2,180,763

TABLE C.—MANUFACTURES.

Years.	Amount in each Year.	Years.	Amount in each Year.
1825 .	$5,729,797	1833 .	$ 6,557,080
1826 .	5,495,130	1834 .	6,247,893
1827 .	5,536,651	1835 .	7,694,073
1828 .	5,548,354	1836 .	6,107,528
1829 .	5,412,320	1837 .	7,136,997
1830 .	5,320,980	1838 .	8,397,078
1831 .	5,086,890	1839 .	10,927,529
1832 .	5,050,633	1840 .	12,848,840
	$43,180,755		$65,917,018

TABLE D.—EXPORTS.

Years.	Cotton.	Years.	Cotton.	Years.	Cotton.
1820 .	22,308,667	1827	29,359,545	1834	49,448,402
1821 .	20,157,484	1828	22,487,229	1835	64,661,302
1822 .	24,035,058	1829	26,575,311	1836	71,284,925
1823 .	20,445,520	1830	29,674,883	1837	63,240,102
1824 .	21,947,401	1831	25,289,492	1838	61,556,811
1825 .	36,846,649	1832	31,724,682	1839	61,238,982
1826 .	25,025,214	1833	36,191,105	1840	63,870,307
	170,765,993		201,302,247		435,300,831

TABLE E.—EXPORTS.

Years.	Tobacco.	Years.	Tobacco.	Years.	Tobacco.
1820	7,968,600	1827	6,816,146	1834	6,595,305
1821	5,648,962	1828	5,840,707	1835	8,250,577
1822	6,222,838	1829	5,185,370	1836	10,058,640
1823	6,282,672	1830	5,833,112	1837	5,795,647
1824	4,855,566	1831	4,892,388	1838	7,392,029
1825	6,115,623	1832	5,999,769	1839	9,832,943
1826	5,347,208	1833	5,755,968	1840	9,883,957
	43,441,469		39,963,460		57,809,098

TABLE F.—EXPORTS.

Years.	Rice.	Years.	Rice.	Years.	Rice.
1820	1,714,923	1827	2,343,908	1834	2,122,292
1821	1,494,307	1828	2,620,696	1835	2,210,331
1822	1,563,482	1829	2,514,370	1836	2,548,750
1823	1,820,985	1830	1,986,824	1837	2,309,279
1824	1,882,982	1831	2,016,267	1838	1,721,819
1825	1,925,245	1832	2,152,361	1839	2,460,198
1826	1,917,445	1833	2,774,418	1840	1,942,076
	12,319,369		16,408,844		15,314,745

TABLE G.

STATEMENT showing the Quantity, Price, and Value of the Cotton grown in the United States, from 1819 to 1840.

Year.	Million lbs.	Price per lb. cents.	Value.	Increase.
1820	160	17	$27,200,000	
1821	180	16	28,800,000	
1822	210	16½	34,650,000	
1823	185	11	20,350,000	
1824	215	15	32,250,000	
1825	255	21	53,550,000	
1826	350	11	38,500,000	
	1,555	15⅓	$234,675,000	
1827	270	9⅓	$27,700,000	
1828	325	10¼	40,625,000	
1829	365	10	36,500,000	
1830	350	10	35,000,000	
1831	385	9¼	35,612,500	
1832	390	10	39,000,000	
1833	445	11	48,950,000	
	2,530	10	$263,387,500	
				$28,712,500

TABLE G—continued.

Year.	Million lbs.	Price per lb. cents.	Value.	Increase.
1834	460	13	$59,800,000	
1835	416	16⅔	68,640,000	
1836	445	15¼	67,862,500	
1837	485	15¼	73,962,500	
1838	525	10¼	53,812,500	
1839	566	14	79,240,000	
1840	880	9½	83,600,000	
	3,777	13⅕	$487,117,500	
				$223,730,000

The quantity of cotton received at the port of Boston, from October, 1839, to October, 1840, was,—

Receipts in	1835	80,709	bales.
"	1836	82,885	"
"	1837	82,664	"
"	1838	96,636	"
"	1839	94,350	"
"	1840	136,357	"
Estimate for	1841	150,000	"

Since January 1st, 1841, there were received to this, the 26th of May, less than five months, 93,057 bales, and the quantity received this year will probably be 150,000 bales.—*Boston Atlas.*

TABLE H.—DOMESTIC EXPORTS OF SOUTH CAROLINA FROM 1819 TO 1841.

Year.	Exports.	Year.	Exports.	Year.	Exports.
1820	8,690,539	1827	8,189,496	1834	11,119,565
1821	6,867,515	1828	6,508,570	1835	11,224,298
1822	7,136,366	1829	8,134,676	1836	13,482,757
1823	6,671,998	1830	7,580,821	1837	11,138,992
1824	7,833,713	1831	6,528,605	1838	11,017,391
1825	10,876,475	1832	7,685,833	1839	10,318,822
1826	7,468,966	1833	8,337,512	1840	10,036,769
	55,545,572		52,965,513		78,338,594

Gain in last seven years, 25,373,081.

SPEECH

On the Loan Bill, delivered in the Senate, April 12th, 1842.

MR. CALHOUN said: That it was not his object, in rising at this late stage of the question, to discuss the provisions of this bill. This had been done so fully and ably by those who had preceded in the debate on the same side, that he had nothing to add. But, in order to have a full and clear understanding of the bearing of this measure on the finances of the Government, we must look beyond the provisions of the bill. It was not a lone measure, — unconnected with those which preceded, or would succeed it,—but quite the reverse. It was a link in the system of policy commenced at the special session,—and which had hitherto been perseveringly followed up; and, if he was not greatly deceived, would be persisted in so long as those who now have the control held power. Already has the system contributed greatly to depress the credit of the Government; and it is to be feared, if it be not arrested, that it will sink it far below its present level. What he proposed, in the remarks which he was about to offer, was to trace the consequences of the system in its bearings on the finances and credit of the Government.

That the credit of the Government is greatly impaired of late, will not be denied. It is but a short time since the very committee which reported this loan bill reported another for about the same amount, which became a law. At that time, so high did the credit of the Government stand, that it was expressly provided that not more than six per cent. interest should be allowed, and that the loan should be redeemable in three years. As short as was the period, it was confidently predicted that it would be taken at five per cent.;

and the Secretary of the Treasury commenced his negotiations for the loan with that expectation, and actually obtained a considerable portion of it under six per cent. The bill passed late in July last; and in the period of nine short months, the very same committee reported this bill, which proposes to send the public credit into the market to be sold for what it will bring; and this, too, for twenty years,—a period nearly seven times longer than the term prescribed in the former bill.

The conditions offered for a loan may fairly be regarded as indicating the value which the Government stamps on its own credit; and we may be assured that the keen-sighted race who have money to lend will rarely affix a higher value than what the stamp indicates. Judged by this standard, the credit of the Government has never before been as low; no, not in the late war with England,—a war with one of the greatest, if not the greatest power on earth,—commenced with a remnant of an old debt of more than forty millions of dollars, and at the very beginning of which there was a universal suspension of payments by all the banks south of New England. Even in that great struggle, under all its embarrassments, no Secretary of the Treasury or committee ever dared to put the credit of the Government into market under such disadvantageous terms as is proposed in this bill. The longest period for the redemption of any loan contracted during the war, if his memory served him, was but twelve years—a period not much exceeding half the time allowed by this bill. Such and so great has been the decay of the public credit in the short space of a few months! And here the question is presented, What has caused this unexampled and rapid decay of the credit of the Government in a period of peace, when the resources of the country are more than doubled, and with a public debt comparatively so small?

The Chairman of the Finance Committee felt the force of this question; and, if we are to believe him, the extra-

ordinary offer which the Secretary of the Treasury is authorized to make for this loan is to be explained, not on the ground that the credit of the Government is impaired, but from the scarcity of money. He says that there is an extraordinary demand for money, and that a higher interest, in consequence must be paid for its use; and that the Government, like individuals, can get it only by giving its market value. Unfortunately for him, the fact does not accord with his explanation. Interest is now lower in the general market of the world than when the former loan bill passed. The best index of that market is the rate of interest at which the Bank of England discounts. Judging by this, there has been a very great reduction of interest within the last few months—from five to four per cent. Even in our own country, where confidence is imperfect, interest is far from being high. It was but the other day stated by a Senator in a debate on this bill, that the stocks of the State of Maine and the city of Philadelphia, bearing six per cent. interest, are at par; and that of his own State, in its own market, is, he is informed, something above par. But the Senator himself may be quoted against his own explanation. Forgetful of the ground that he had taken, he mentioned it as a remarkable fact, that exchange with England at this time is very low—several per cent. below par. From this he inferred that money was plenty—not, indeed, from increase of quantity, but from the diminution of business. Like every thing else, its price (if he might use the expression as applied to money) followed the great law of demand and supply; and it might be lowered, as well by diminishing the demand as by increasing the supply; and, in either case, a favorable state of the market would exist for the negotiation of loans on good terms, where the credit of the borrower was above suspicion.

The Senator from Rhode Island (Mr. Simmons), taking a more correct view of the fact, admitted that the difficulty of negotiating a loan on favorable terms was the loss of cre-

dit; but he attributed the loss of credit on the part of this Government to the loss of credit by so many of the States of the Union. He said that there was a mutual sympathy between the credit of this Government and that of the States, and that when the one was impaired it necessarily impaired the other. He (Mr. C.) did not admit that there was any such dependence; and, for proof, he referred to the fact that a few months since, when the former Loan Bill passed, the credit of this Government stood high—never higher, although that of many of the States was then greatly depressed. But, while he denied the dependence, he readily admitted that there was so much connection between the two, that, when the credit of the States was greatly impaired, great prudence, much caution, and careful management were necessary to prevent that of this Government from being depressed. It was the moment when the money-lenders would view the conduct of this Government with the keenest jealousy, and when any mismanagement of its finances would be sure to be followed with the worst effect on its credit; but, with proper management, its credit would not be affected by the discredit of the States.

If, then, neither the state of the money market, nor the discredit of so many of the States, can explain the necessity for the extraordinary terms to be offered for this loan, to what is it to be attributed? It was no time for vague or gentle language. He intended to express himself plainly and strongly, but without the least intention of offending. It is, then, to be attributed to the loss of credit on the part of the Government,—a rapid and great loss,—which, he feared, was still in progress. And to what is this to be attributed? To your conduct, gentlemen. It is you who have impaired the public credit. You are the responsible party. You have destroyed the equilibrium between income and expenditure, on which the credit of governments, as well as individuals, must ultimately depend. You have reduced the income of

the Government below its expenditures: in the first place, by giving away a portion of the revenue from the public lands—a portion by far the most permanent and growing; and, in the next, by greatly increasing its expenditures. To this you added a heavy loan of $12,000,000,—making an annual charge for interest of upward of seven hundred thousand dollars. And, to cap the climax, you proposed, in the face of all this, to raise the permanent expenditures to near ly thirty millions of dollars, without making any adequate provision to meet it. It was thus that the equilibrium between the income and expenditure of the Government was destroyed; and the want of means to meet its engagements followed as a matter of course.

But what you did was not so fatal to the public credit, bad as it was, as the circumstances under which you did it. What were they? You did it when you knew that the credit of many States was deeply impaired, and threatened to be still more so. You knew there was hazard that their discredit might react and cast suspicion on the credit of the Union, and impair that of this Government, as well as that of the States which still preserved theirs, without great prudence and caution in the management of our finances. Nor were you ignorant that the financial condition of the Government was, in other respects, highly critical. That you were fully apprised of the fact, I will prove from your own words. How often have you declared that there was a heavy deficit when you came into power; that the revenue was rapidly declining under the Compromise Act; and that those who preceded you had neglected to make provision to meet the growing deficit; and, finally, that there was great waste in the collection and disbursement of the revenue? You stated all this to prove that the blame lay not at your door. Admitting all you said, can you exempt yourselves from blame? Power was not forced on you. You sought it—eagerly sought it—and that by the most objectionable means. You

got it under the promise of reform, and thus placed yourselves under the most solemn obligation to administer the finances with the utmost care and skill. And yet it was under these circumstances, and in the extremely critical condition, according to your own admission, of the finances of the Government, that you reduced the income,—increased the expenditures,—added a large amount of debt,—and proclaimed your intention to raise the permanent expenditures far above the then existing scale, without providing any thing like adequate means to meet such increase. Can it, then, be a matter of surprise that such conduct should be followed by that rapid and deep decay of credit by which it has been sunk, in the short space of a few months (if we may judge by the terms of this bill), to a point of depression far below what it ever has been at any other period, in peace or war? Be assured that the keen and vigilant class who have money to lend watch your course with ceaseless attention; and that not a false step has been taken in the management of the finances, nor an act done that may indicate a want of due care or regard to the public faith on your part, which has not contributed to impair the credit of the Government,—especially at so critical a period as that through which we are now passing.

Having now shown that it is the course you have pursued which has prostrated the credit of the Government, the question next presented is, What impelled you to pursue a course so disastrous to the public credit? Why did you surrender the revenue from the land? Why so greatly increase the expenditures at the same time? Why propose to raise the permanent expenses to so high a standard? Were you ignorant of consequences? Did you not see that it would destroy the equilibrium between income and expenditures? You cannot plead ignorance; you did it with your eyes open. The loan bill of the special session proves that your measures had created a deficit; and the declaration of

your distinguished leader, whose authority is so high with you, at the close of the extra session, that there would be a deficit in the revenue for this year of at least ten millions of dollars, conclusively shows that the deficit then created was known to be not of a temporary character. And here we have a still more important and searching question presented: What impelled you, at so critical a moment, when the credit of the Government required the most careful and vigilant nursing, knowingly to destroy—not for the moment only, but for the future—the equilibrium between its income and its expenditures? To this there can be but one answer: it was your system of policy that impelled you—a system deliberately adopted at the special session, steadily pursued since, and, it is to be feared, will be pursued, regardless of consequences to Government and country, as long as you can retain power.

What that policy is, is not a matter of inference or conjecture. You have openly, boldly, and manfully avowed, that the great and leading objects of your policy are, bank and tariff—a National Bank and high protective tariff; that without the one there never could be a sound currency, nor prosperous industry without the other. Your great leader has, over and over again, proclaimed them to be the great objects of your policy; and the report of the minority of the Committee on the Exchequer in the other House, from the pen of a distinguished member of your party, openly asserts that the one is indispensable to the other, and that without both there can be no relief for the currency and industry of the country. There is, indeed, a mysterious connection between them; and he (Mr. C.) would admit that, without their joint action, there never could be such an inflation of the currency, and fictitious and delusive state of prosperity, as that through which we have recently passed. Their united action might, indeed, again restore a like state; but it would be of short duration,—and be suddenly followed by

disasters still greater than the present; just as each succeeding debauch of the drunkard leaves him in a worse condition than that which preceded.

In pursuing these, the acknowledged great and leading objects of your system of policy, to which all others are subordinate, you commenced at the extra session with the bank; justly believing that, once established, all others would follow as a matter of course. The Bank Bill fell under the veto, and a new tack became necessary, in which its associated measure, a high tariff, became the primary object, in the hope (not badly founded), if it could be adopted and be made permanent, that it would, in the end, carry the bank as certainly as the bank would the tariff. Since then, your whole energy has been directed to establishing a high tariff. How was this to be done?

The Compromise Act stood in the way. Under its provisions a protective tariff, by name, was out of the question. Your distinguished leader stood openly pledged against it, and the whole Southern wing of your party, with one or two exceptions (besides being pledged against it), represented constituents who were utterly opposed to the system. In this dilemma there was but one expedient left—to bring about such a condition of the treasury as would compel a resort to high duties for revenue, and thereby accomplish indirectly what could not be effected directly. This is the key of your whole policy. It explains every thing. For this the revenue of the land was surrendered; the expenses increased; loans contracted; a high and permanent rate of expenditures proposed; the pledge to reform, to economize, and retrench, left unredeemed; and, finally, the credit of the Government prostrated at a moment so hazardous. This very prostration, this very bill, with all the enormity of its provisions, is part of the ways and means by which you hope to accomplish your cherished object.

Gentlemen (said Mr. C., addressing the opposite side of

the Chamber), I must speak freely. The critical state of the public credit, and the dangerous condition of the Government and country demand it. There is one fatal principle pervading your policy, not now only but at all times, which has well nigh brought the Government to ruin. You lay duties not for revenue, but for protection. Revenue with you, in laying duties is a mere incident, which claims but little of your care or attention. Your primary object is protection; that is, so to impose the duties as to convert them into actual bounties to certain portions of the capital and industry of the country, without regard to their effect on the residue. It is the *bounty* and not the *revenue, that you regard;* and hence duties are imposed whether as to time, amount, and manner, with little or no regard to revenue.

Of the truth of this, we have a remarkable illustration when you were last in power, under the younger Adams, in 1828. At that time the revenue—as was acknowledged on all sides—was ample to meet the expenditures of the Government, including the payment of the public debt, which was then nearly discharged. A few millions only remained then to be paid off, when a large portion of the revenue—nearly one-half—would no longer be required for the use of the Government. On revenue principles, it was clearly the time, not for the increase, but for the reduction of duties. And yet it was at that very period, when you, acting under the false and dangerous system, which guides you in all your acts, regardless of consequences, passed the tariff of 1828, which nearly doubled the duties, and so increased the revenue as suddenly to pay off the public debt. Then followed the surplus revenue; expansion of the currency; the pet-bank system, and all the corrupting and disastrous consequences which have since caused such calamity. The Compromise Act put an end to the tariff of 1828. Then followed an opposite train of consequences: a gradually decreasing revenue, with the high rate of expenditures caused by the

surplus revenue. Under its mischievous influence the expenditures had nearly trebled in a few years, accompanied by a looseness and waste unknown before in the collection and disbursements of the Government. It required but little sagacity to see that, if something decisive was not done to bring down the expenditures with the decrease of revenue, a crash must follow. I was not silent. I saw the danger, and proclaimed it; and those in power began to exert themselves with effect to meet it. At this critical period, you succeeded in obtaining power; but, as experience has proved, with no abatement in your attachment to the fatal policy which led to the disastrous act of 1828.

You then committed, under the influence of that policy, the monstrous folly and injustice of raising the revenue, when it ought to have been reduced; of destroying the equilibrium between income and expenditures, by raising the latter far beyond the former; and now, under the same pernicious influence, you commit the reverse error, of sinking the income below the expenditures, by throwing away the revenue from the lands, and increasing expenditures,—to be followed, I fear, by disasters still more fatal. It is difficult to imagine an error calculated to cause greater mischief, in the present condition of things, than that of making revenue a subordinate consideration in the imposition of duties. The revenue is, emphatically, the state; and the imposition of burdens on the people to raise what may be necessary for the wants of the Government is the act, above all others, which requires the highest caution and skill so to be performed as to extract the greatest amount of revenue with the least burden, and the greatest equality and justice among the members of the community. But when the great and primary object is forgotten—when duties are imposed as to time, manner, and amount without regard to revenue, or equality, or justice, the result must be such as we have witnessed—the treasury overflowing, and ex-

hausted in rapid succession; and distrust, jealousy, and discord pervading the whole community. Alternation of income and expenditures as rapid as the Government has experienced under the influence of this radical and pernicious error, would prove ruinous in private life. Take, for illustration, an ordinary family of half-a-dozen sons and daughters, in independent but moderate circumstances, having (say) an annual income of two thousand dollars, and living in decent frugality within their income. Few conditions of life would be more propitious to happiness than this. Now, suppose that their income should be suddenly raised to twenty thousand dollars annually, and continue so for eight or nine years, till the habit of the family should become completely changed—a fine mansion to rise not far from their former snug residence, furnished with rich furniture, splendid carriages and horses to take the place of the plain gig and horse, and the sons and daughters to enter into all the fashionable and extravagant amusements and expenses of the higher circles. And then suppose the income of the family to be reduced suddenly to its former standard of two thousand dollars; and who does not see that it would require the greatest resolution and prudence on the part of its head to save the family from ruin—the most careful nursing of income, severest lopping off of expenditures, and rigid economy in all things? But if, instead of this, they should endeavor to keep up or increase expenses and their style of living, and should ostentatiously give away a large portion of their reduced revenue, their discredit would be certain, and the ruin of the family inevitable. And such must be the fate of the Government if the folly of your course be persisted in.

I feel, Mr. President, how vain it is to urge arguments against the fixed determination of a party resolved to carry through their favorite system of policy, however ruinous it may prove to both the Government and the country. That its determination is fixed, has been evinced on so many and

striking occasions, that I am forced to surrender the hope of overcoming it so long as the party can retain a majority in either House. It is true, there have been some signs, occasionally, of yielding as to the revenue from the lands. We have been told by a member on that side, in this discussion, that the policy of giving up the revenue from the land was a great mistake, and that it must be reversed; and that the party would be forced to do it, whether it wished or not. I have no such anticipation: not that I doubt but the pressure on the public treasury will be great, and the discredit of the Government ruinous; but I see little hope that any thing of the kind can force the party to relax. They have staked their all on the tariff and the bank, and are resolved to play out the game to the last. When the question of repeal comes up we shall find that the Distribution Act will be clung to, should credit perish and the treasury be bankrupt, because the policy of the party requires it. But we are told that the act will be repealed by its own provisions; that the duties must be raised above 20 per cent., in order to meet the wants of the Government; and that the fact of so raising them will, by one of its provisions, repeal the act. Such is indeed the provision; and it is no less true that its insertion was necessary to secure the passage of the act, and its passage that of the Bankrupt Act. Such being the fact, honor and good faith forbid the repeal of the proviso. But will they be respected? I would be happy to think so, but am incredulous, because the policy of the party stands in the way. Yes; to restore the land fund would raise the income some three or four millions of dollars annually. This would avoid the necessity of raising the duties proportionally; and that is inconsistent with the policy of the party, to which every thing must yield.

The same cogent argument will prevent all serious efforts in favor of economy and retrenchment. We have been told by gentlemen that there was great waste, extravagance, and

fraud in the public disbursements; and able committees have been appointed in both Houses to detect abuses, and reduce the expenditures of the Government. Well,—I am one of those who believe that there are, and have been, great abuses in the disbursements; who never doubted that the surplus revenue would lead, and has led, to frauds, waste, and extravagance; but I have little hope of seeing them corrected, or of witnessing any considerable reduction in the expenses of the Government, while you, gentlemen, retain power. I doubt not the committees will be vigilant in hunting out fraud and maladministration: this is something. I wish every instance may be detected and brought to light, fall the blame where it may. But as to any substantial reform, either by economy or retrenchment, I expect none; and this for the all-powerful reason—your system of policy forbids. So far from looking for either, I anticipate the very reverse from this bill. If the negotiation for the loan should be successful, it will but replenish the treasury, to be wasted in extravagant appropriations; raising still higher the standard of expenditures, and creating new demands on the treasury, to be supplied by what is so desired by you—still higher duties. The result must be, that the credit of the Government, instead of improving, will be worse a year hence than at present.

I (said Mr. C.) regard this bill, not only as the offspring of the fixed policy of gentlemen, but as intended as one of the means of perpetuating it. The great length of time which the proposed loan would have to run, and the decisive vote against the amendment offered by the Senator from Mississippi (Mr. Walker), to pledge the revenue from the lands to pay its interest and redeem the principal, leave but little doubt on that point. Thus regarding it, I cannot look forward without the apprehension of the most disastrous results to the credit and finances of the Government. If persisted in, it must ultimately prostrate public credit, or force the

Government to an entire change of its system of finance. It will not only throw the entire burden of supporting the Government on duties on imports, but will lead to an imposition of them the most unjust and unequal, and, at the same time, least favorable, in proportion to the burden imposed, to a productive revenue. The very spirit of the system, which leads to the imposition of the whole burden of supporting the Government on the imports, will as surely lead to such an imposition of the duties as may be regarded the most favorable to the protective policy, without regard either to revenue, or justice, or equality.

Acting in the spirit of the system, it is easy to see that those who have the control will lay the highest rate of duties on all articles which can be manufactured at home, with the view of excluding entirely foreign articles of a similar description. This is the professed object of the system. But the effect of such duties would be, to a vast extent, in the present state of things, to lop off almost entirely what might be a great and productive source of income under a moderate and judicious system of duties laid expressly for revenues.

Under the influence of the same policy, there will, no doubt, be a large list of articles entirely exempt from duties. The Chairman of the Committee on Finance (if I did not mistake him) estimated the amount of the free articles under the tariff to be established, at $30,000,000.

[Mr. Evans said, "That is the amount now, as the law stands."]

Yes (replied Mr. C.), and is intended to be the amount after it is modified to suit the wishes of the party. It is no conjecture.

I hold the proof in my hand—a bill reported to the other House by a member from Massachusetts (Mr. Saltonstall), Chairman of the Committee on Manufactures, and a gentleman deep in the confidence of his party. It proposes

a free list of at least thirty millions, and a system of duties not much, if any, less odious and oppressive than the tariff of 1828. This long and heavy list is made up of articles of a description not produced in the country; and which, for the most part, are consumed in the manufacturing region, or for which manufactures are given in exchange abroad. If revenue was the principal object, the very principle on which they are to be excepted would make them the most legitimate objects of high duties. They are the very articles that could be taxed highest, without danger of being superseded by home articles of a similar description, and which, for the same reason, would throw the burden equally on the consumers. But revenue is not the object; and they must be exempted, be the inequality or the effect on the revenue and credit of the Government what it may. If to the probable amount of free articles be added the amount required to meet the interest of the debt abroad—say seven millions; and if to this be added the very great reduction which the high duties to be laid on the protected articles must make in their importation, some conception may be formed of the narrow basis on which the revenue of the Government must stand, if the system of policy of the party should be carried out in its spirit, as it is intended to be. The whole weight will press on what the advocates choose to call luxuries—such as linen, worsted stuffs, silks, spirits, wines; most of which may come, indirectly, into competition with home-made articles, for which they may be substituted; and all of which, or nearly all, are got in exchange, not for manufactures, but the productions of our soil; and are, therefore, according to the genius of the system, legitimately objects of high taxation.

Such, gentlemen, must be the system of imposts, if the influence which has heretofore controlled you should continue to do so; which, I fear, hardly admits of a doubt. It is precisely the system proposed to be established by the

bill of the other House. It may, indeed, be modified, to catch a few Southern votes; but there is little hazard in saying that it is what is desired, and will be approached as near as may be practicable. It is on such a tariff that you propose to rely exclusively for revenue to maintain the public credit, and to support the Government, at a rate of expenditures graduated by the highest scale; and this you expect to do in the present depressed state of credit, crippled condition of commerce, and deranged state of the currency. I shall not stop to discuss the influence which these, and the many other causes that might be enumerated, must have in diminishing, far below all ordinary calculation, the income from such a tariff; the advanced growth of our manufactures in most of the important branches; the effects of high duties on the articles for which our great agricultural staples are, for the most part, exchanged; and the great extent of smuggling, which cannot but take place in the present condition of the country; but I will venture to tell you that you will be utterly disappointed in your expectation of an adequate revenue from such a tariff. The income will fall far short, and the credit of the country will receive a shock from which it will be hard to recover. The end will be, the abandonment of your system, or a resort to internal taxes; when an entire change of our financial system will follow.

Thus thinking, I cannot vote for this bill. I would rather meet the difficulties at once, than to contribute to postpone the shock, by sustaining a system which I solemnly believe must lead to such dangerous consequences. I would rather let the patient take his chance, than to countenance, what I cannot but regard as the most dangerous quackery. But we are not reduced to the alternative of doing nothing or taking this bill. There are other, and safe and speedy measures of relief, if you would but agree to abandon your system of policy and adopt them. They are so obvious, that I

cannot persuade myself that they have been overlooked; and am forced to believe that they have not been adopted because your policy forbids it. If you could be persuaded to yield that, and substitute for this bill a provision to fund the outstanding treasury notes in six per cent. stocks, payable in four, five, or six years; to surrender the public lands, and pledge them for the faithful redemption of that stock; and pass a joint resolution refusing to receive the notes of banks that declined to receive your treasury notes at par, the market would speedily be freed from that excess which depresses the credit of treasury notes, and the residue would rise at once to par with specie. If the banks agreed to receive them, their interest and that of the Government would be combined to uphold their credit at par; and, if not, the fact that they would be exclusively received with specie in the public dues would give a greatly increased demand for them, which would have the same effect.

This done, follow up with a rigid system of economy and retrenchment; lop off all expenses not necessary for the defence of the country and the frugal administration of the Government; put an end to waste, extravagance, and fraud; and, after you have made your appropriations, and revised the duties with an eye mainly to revenue and equality of burden—if there should be an estimated deficit in the income, before the increased duties could be made available, it may be met by the use of your own credit directly, or the negotiation of a small loan, which could then be had on fair terms, and for a short period. It is by this simple process that you may relieve the Government from its present embarrassment,—restore its credit, and raise what supplies may be necessary at home, without going abroad at present. I have (said Mr. C.), on my part, insuperable objections to sending our credit abroad in the world at this time. It stands low at present; and, as an American and Republican, I am too proud to have it exposed to the contumely of

the rich and powerful bankers of Europe, to which it must necessarily be at such a period. I would adopt any expedient, or make any reasonable sacrifice, to avoid such disgrace. Adopt the measures I have suggested,—which, instead of a sacrifice, will afford relief on terms more favorable than the most sanguine can anticipate obtaining supplies from abroad, and it will be avoided. I can imagine but one objection, and that the oft-repeated one—your system forbids.

Having now said what I intended in reference to this measure, let me add, in conclusion, that if I could be governed by party feelings and views at such a juncture as I conceive this to be in our affairs, instead of the solemn and earnest desire I feel to see the credit of the Government restored, and the country extricated from its present difficulties, I would rejoice to see the party opposed to me pursuing the course they do. I feel the most thorough conviction that, under their system, the credit of the Government, instead of improving, will grow worse and worse; and will end, if persisted in, not only in the overthrow, but in the dissolution of the party, and affixing permanent odium to their measures and policy,—but, in the mean time, with no small hazard to the country and its institutions.

REMARKS

On the Bill providing for further remedial justice in the District Courts of the United States, made in the Senate, July 8th, 1842.

[Messrs. Linn, Berrien, Wright, and Cuthbert having finished their remarks on the passage of the Bill —]

Mr. Calhoun said he was not prepared to take part in this debate, for he had examined no authorities; but,

looking at the question in a general view, it certainly appeared to him to be a great innovation, not only upon the constitution, but upon the law of nations. They were all well aware that the case of McLeod was vindicated upon the ground of the existence of a state of war. Unless he was greatly mistaken in the interpretation of this bill, its provisions go far beyond the limits of that case, and comprehend a variety of cases, which may occur in time of profound peace. If his impression as to the laws of nations in regard to this point, be correct, there was no case, in time of peace, in which the authority of one State could afford immunity to its citizens or subjects, within the limits of another, except to persons connected with the diplomatic or commercial relations of the country. If there be another, he called on the learned Chairman of the Committee on the Judiciary, to point out an instance of the kind, or state the authority of any respectable writer on the laws of nations which recognizes any other.

That this bill goes beyond, he would refer to the case which had been supposed by the Senator from Alabama, and so forcibly stated by him. Suppose an emissary sent by any foreign power, with written authority to tamper with our slave population, should be actually detected in exciting them to rebellion, with his commission in his pocket; and should be imprisoned under the authority of the State;—suppose, further, the ground of such interference with the authority of the State should be, that slavery is contrary to the laws of nations—which, extravagant and false as it may be, we know is not too much so for fanatics to assume;—now, I ask the Chairman, if that would not be a case under color of the laws of nations? and, as such, would it not come under the provisions of this bill? And, if so, whether the emissary might not, under a writ of *habeas corpus*, be transferred from the custody of the State authority, to that of the courts of the Union, and his case be decided on by the judges of the

United States, without the intervention of a jury? Many other cases might be stated, to show that the provisions of the bill extend far beyond the case of McLeod, to which we all know it owes its origin.

But the provisions of this bill not only innovate on the laws of nations, but also on the principles of the constitution. If there be any one principle in which all parties and all writers on the constitution are agreed, it is, that the Governments of the States and that of the Union are independent of each other, and, in their respective spheres, supreme, as it regards each other. This great and fundamental principle has, for the most part, been held sacred as it regards the Legislative and Executive Departments; but not so as to the Judiciary. From the beginning, it has been departed from in this department. Even the Judiciary Act of 1789 departed more or less from it; but the departure was slight, compared with that which has since taken place, and which is proposed by this bill. If it should become a law, so far from that department of the State Governments being independent and supreme in its proper sphere, it would be completely subjected to the Federal Judiciary in all cases whatever; while the latter would be independent and supreme in its sphere, as it regards the State courts, in every case. He went further, and asserted, that if the latter should pass beyond its constitutional sphere, and assume jurisdiction which notoriously belongs to the State courts, and over which it has no right whatever, there would be no remedy. As far, then, as the Judiciary is concerned, the work of consolidation would be consummated, if this bill should pass; and this would lay a solid foundation on which to consummate it in the other departments of the Government.

Now, he would ask, what is the urgent necessity for passing such a bill? We are told that it is necessary, to prevent the peace of the country from being disturbed; that the

State tribunals cannot be trusted to decide questions in which the foreign relations of the country should come even incidentally in question. Such was not his opinion. The judges of the State courts were bound by oath to respect the constitution; and the experience of more than half a century had proved that they were not unmindful of the obligation of their oath,—and that they might be safely trusted. The very case which gave rise to this bill might be cited as proof that they might be safely trusted. No trial could be more fair and impartial than that of McLeod. Nor did he think that foreign powers had a right to ask us to make a change in the character of our institutions. They have as good a right to hold the Union responsible for the decision of the State courts, as that of the Federal, on a question involving the foreign relations of the country. What more could they desire? But if considerations connected with the peace and safety of the country are to decide the question, he would venture the assertion, that they would be exposed to greater hazard by the passage, than by the defeat of this bill. We have to dread danger to the peace of the Union from within, as well as without; and, of the two, the former was more to be apprehended than the latter. If we have peace and harmony within, we would have but little to dread from abroad; and we ought, above all things, to be cautious in giving such extension to the powers of this Government, through any of its departments, as shall endanger the harmony and peace of the members of the Union. To preserve these, is the first and great consideration. He would not say that this bill, if it shall become a law, would endanger the peace and harmony of the Union; but he would say, that no one can even conjecture what may, in time, result from so bold an innovation on the principles of our Government.

He would detain the Senate no longer. He had not the slightest intention, when he took his seat this morning, of

participating in the discussion, and spoke without preparation; for which he could offer no excuse but the want of opportunity, in consequence of his absence when the subject was under discussion.

[Here Mr. Cuthbert, with considerable warmth, referred to the operation of the law, and insisted that it would lead to war, instead of peace. He denounced, with much vehemence, its provision in reference to the power of foreign governments to "suspend," as he declared it, "the jurisdiction of the State courts." He was followed by Mr. Berrien, who observed that the provisions of the bill rested on the domiciles of foreigners abroad, only temporarily found in the limits of the United States. He made other comments on the positions taken by Mr. C., with a view to show that the bill would not interfere with the rights of the South.]

Mr. Calhoun said: He now inferred that the Senator could not point out any case, or show any authority, where the order of any foreign government could afford immunity beyond the limits he had assigned.

[Mr. Berrien said the McLeod case was one instance.]

MR. CALHOUN. The Senator must know that case was defended on the ground that it was an act of war—*quasi* war—and therefore excluded from the rule he had laid down; if, indeed, it is to be considered in that light, which, by the by, he denied. Now, as the Senator can name no other, he felt justified in asserting that the order or commission of a foreign government could, in time of peace, give no protection whatever to its subjects or citizens within the limits of another country, except in the case he had referred to. If there had been any case of the kind, or any authority in favor of such a principle, no doubt it would have come to the knowledge of the Chairman. It was his duty to look into the subject before he undertook to report such a

bill as this; and those who knew his industry and attention to his duties, will not doubt he did; and if he knew no other, it may be taken for granted that none other exists. But if there be no other, why not limit the provisions of this bill to cases strictly analogous to that of McLeod? Why go further? It will not do to say that, if the laws of nations do not apply but to cases like this, no injury can result. The Senator knows well, that neither the British Government, nor its Minister here, pretended to limit the principle involved in that case within the narrow bounds prescribed to it in the discussion, in this body. It was *we*, and *not they*, who chose to consider it as a case of war. They placed it on the broad ground, that a subject, acting under the order of his sovereign, was amenable for his acts in a foreign country only to his sovereign; and contended that the nation, and not the individual, was responsible for his acts. Now, he would submit the question for consideration, whether, if this bill, introduced under such circumstances, and couched in the broad and general terms in which it is, would not, if it should unfortunately pass, be fairly presumed to be conclusive proof of an acquiescence on our part, in the principle assumed by the British Government, in its fullest extent? and, if so, whether we would not be precluded, under our own act, from resisting the pretensions of that Government, or any other foreign government, hereafter claiming immunity for its subjects, who have their domicile at home, in all cases where they might act under authority of their government, or the color of its authority? Also, whether it would not, in fact, be an extension of those rights and immunities to all such foreign nations, or emissaries, who might be in our country, which heretofore have been thought to belong exclusively to diplomatic or commercial agents? If all this be so,—and it seemed to him it could not be denied,—he would ask, whether it would not be a dangerous and disreputable surrender of rights, which belong to the people of this

Union, as one of the independent powers of the world, over such aliens,—and to which no other independent people ever before submitted? He had a great regard for the laws of nations, and would be the last to disregard or contract their authority; but he was unwilling to submit to the extension of a principle far beyond, he believed, what they ever contemplated. He could not regard the provisions of the bill but as making a great and dangerous innovation on those laws;—and this under circumstances not at all honorable to this Government.

But he was told by the Chairman, in answer to the supposed case that he had stated,—we had nothing to fear,—for the Supreme Federal Court had decided that our property in our slaves was consistent with the laws of nations. He would ask the Chairman whether the court might not, in time, change their decision? Do not courts often change? Were they not as liable to change as other departments of Government? And if they should change on this point, where would be our security? The answer of the Chairman had no weight with him. The constitution left this and other domestic institutions under the exclusive protection of State laws and State tribunals, which had a deep, local, and abiding interest in their protection; and he, for one, never would submit to see it transferred to tribunals which had no such interest, however correct their decision may be for the time. That it made such transfer, in fact, in the case supposed, the answer of the Chairman must be considered as an admission; and this was sufficient to induce him to raise his hand and voice against a bill so unconstitutional and dangerous. He felt himself called on by the highest sense of duty to resist its passage; and to continue his resistance to it, should it pass, till it should be expunged from the statute book.

SPEECH

On the Tariff Bill, delivered in the Senate, July 28th, 1842.

[The proposition being to reduce the duty on cotton bagging—]

Mr. Calhoun said the duty proposed by this bill on cotton bagging was heavy, and would act oppressively on those he represented, and the whole cotton producing States. Five cents on the square yard equalled 6¼ on the running. The cost of the article abroad, this year, was from 4 to 5 pence, as he learned by a letter received recently from a highly respectable importing house in Charleston. Assuming 9 cents to be the average cost, a duty of 6¼ cents on the running yard would be about 68 per cent. ad valorem. It would take 5¼ yards for a bale of cotton of 400 pounds;—which would make the duty on the bagging equal to 33¼ cents the bale.

But heavy as would be this tax on the bagging, that proposed by the bill on the rope and twine was still more so. They would be subject to a duty of 6 cents the pound, which would equal, on the rope, 150 per cent. ad valorem, taking the cost abroad from official documents. On the twine, it would be less; but how much, he was not certain. It would probably, however, not fall short of 50 per cent.,—and might be much more. Assuming six pounds of rope and a quarter of a pound of twine to a bale, the duty for the rope would be 36 cents, and the twine 1¼—making, with that for the bagging, 71¼ cents the bale.

Assuming that the crop of cotton this year would be two millions of bales (which, from appearance, would be an underestimate), the actual amount of duty on these three articles only, on the crop, would be the enormous sum of $1,422,222;

estimating the average price for the year at 7½ cents per pound (which, he apprehended, was too high), the gross amount of the crop in value would be $60,000,000, on which $1,422,222 would be about 2½ per cent. It would, of course, be a loss of 2½ bales in a hundred, or 1 in 37, to the planter; making an aggregate loss on the crop of 47,400 bales. Such would be the amount of the burden on the cotton planters, under the proposed duties on bagging, rope, and twine. If we were now deliberating on an income tax to raise revenue to meet the wants of the Government,—instead of a duty on the imports, the share which would fall on the cotton planters would not exceed the sum proposed to be levied on them by the duty on those three items. The annual income of the people of this Union cannot be estimated at less than $1,200,000,000. It is probably much more; but on this sum a tax of 2½ per cent. would give a revenue of $28,000,000; about equal to the sum proposed to be raised by this bill. If, to this heavy burden, there be added the heavy list of other oppressive duties proposed by the bill on almost every article consumed by the cotton planters, and which they cannot transfer to the shoulders of others, by a single duty in their favor, some conception may be formed of the extent of the burden which the growers of this great staple must bear, should this bill become a law.

He would now ask, why should such high duties be laid on the articles used in packing and baling cotton? He could see no good reason for it. On the contrary, it seemed to him that, on sound principles, and according to analogy, they ought to be either duty free,—or subject to a very light one, or at least entitled to drawback on the shipment of the cotton abroad. The process of ginning and packing the cotton, after it has been cultivated and harvested, may be fairly considered as a manufacture. It takes more machinery, and is more expensive, than many which are highly favored by this bill; and it would be but just to place the materials

necessary for the process (the bagging, rope, and twine) on the same footing as those which enter into the process of other manufactures—such as dye-stuffs, raw hides, and others - all of which are exempt from duty, or subject to very light ones, on importation, under this bill. Indeed, they are entitled to more favorable consideration. Most of the articles for which these are used are sold at home; and the increased cost, on account of the duties, may be laid on in their sale. Not so in the case of cotton. That is, for the most part, sold abroad, where not a cent more can be had for duties paid. Viewed in this light, they come fairly under the drawback principle, as applied in the case of refined sugar from imported brown sugar, or rum from imported molasses, and the like; which, on shipment abroad, are allowed a drawback for the duty on the articles used in their manufacture. The reason, in the one case, is as strong as in the other. The only difference is, that in one the process is carried on in one portion of the Union, and on the other in another.

But we are told that nothing is lost to the planter in consequence of the duty; and that, for the extraordinary reason, that he gets as much for the bagging by the pound, in the sale of his cotton, as for the cotton itself; and that, when the price is ten cents or more per pound, he loses nothing. If it were so, there is no reason why he should be deprived of the advantage by the imposition of heavy duties. But there is a great mistake in supposing that the buyer does not allow for the weight of the bagging. He gets nothing for it when he sells. In the great cotton market (Liverpool) the bale is stripped and weighed, and nothing paid for but the cotton when sold. Some small allowance is made for the bagging, but nothing like its price; so that the duty in all cases is a dead loss. It is too absurd to suppose the buyer would pay, when he can get nothing; and we may be assured that, where no deduction is formally made for the weight of the bagging, the buyer takes it into account, in

fixing the price he gives. The bagging, rope, and twine, on a crop of 2,000,000 of bales, would weigh at least 30,000,000 of pounds—equal to $200,000 in value,—estimating the price of cotton at the lowest rates—a sum rather too large for the buyer or the manufacturer to present as a gift to the factors annually. They are not quite so generous as to do it intentionally, and too sagacious to do it by mistake. But the Chairman of the Finance Committee has read from the documents, that the whole amount of cotton bagging imported in 1840 was not quite 3,000,000 of yards ; and that, at five cents a yard, it would give a revenue of only $150,000. Does he intend it should be inferred that only this amount would be used in packing a crop of 2,000,000 of bales ? On this—if the whole amount necessary to be used had been imported—it would have given only that small amount of revenue, under the duty proposed in this bill ? If either be intended, he greatly mistakes. Against such inference, he (Mr. C.) appealed to every one acquainted with the subject, both as to the accuracy of his statement of the quantity of bagging required for a bale of cotton of 400 pounds, and to every one capable of making the most simple calculation, what would be the number of yards required for a crop, such as he assumed the present would be ; and what the amount of the duty would be at the rate proposed.

But the fact stated by the Chairman is important, and leads to very important conclusions, though very different from what he intended. Though it does not prove that only 3,000,000 of yards were required, or that the proposed duty on bagging would only give $150,000, if all used were imported, it conclusively proves that only this amount passed through the custom-house and paid duty, and that the residue did not pay duties. Now, it is of no small importance to ascertain what was the amount excluded by the domestic article, in consequence of the duty, compared to that imported,—when we have before us the question of imposing

such a duty as that proposed by this bill. Two millions of bales would, at five and a half yards to the bale, require eleven millions of yards; so that, if only three were imported, eight would have to be supplied at home—a pretty large proportion of the whole, one would suppose, for the benefit of the Kentucky manufacturers. Now, Sir, it is a point of no little importance to know what was the duty in 1840 on bagging. It had been much reduced under the compromise, and he supposed was something less than three cents the yard.* This amount was sufficient to exclude eight-elevenths of the bagging used; and yet, in the face of this fact, and with the profession (daily repeated by the advocates of the bill) that they only aim at a fair competition between the foreign and domestic articles, it is proposed to double nearly the duty—and that, too, under a bill declared to be for revenue, and not protection! This duty, then, comparatively low as it was, so excluded the imported bagging, as to give a revenue less than $100,000. And what do you suppose, Sir, would have been the result, had it been five, instead of three cents the yard? The probability is, —either the entire exclusion, or nearly so, of the imported article, and little or no revenue. Such, at least, would have been the effect, if we are to believe the Senators from Kentucky, who seem agreed, that cotton bagging cannot be made in their State at less than sixteen cents the yard; and that, if the duty is not raised to five cents, the manufactures must stop. But he (Mr. C.) did not think so. He believed that they would still go on. But, if not, and the whole revenue, at two cents duty on the running yard, as he proposed, of $220,000,—which would be $40,000 more than what would be received at six cents the yard, on 3,000,000 of yards, supposing that that quantity would be still imported under so high a duty—it is clear that five cents the square yard, or six the

* It was 2·93 cents per yard.

running, would be a duty for protection, and not for revenue. He would not undertake the task of attempting to discriminate between incidental and protective duties for manufactures; but he would assert that, whenever a duty was raised so high as to diminish the revenue,—that is, to reduce it below the greatest amount of revenue that could be derived from the article,—it could not justly be considered a revenue duty. The excess of duty above the point of the greatest revenue would be exclusively for protection; and protection would, in such cases, be clearly the principle, and revenue but the incident. But he did not think that two cents duty on the yard would stop the manufactures of bagging, though it would probably greatly increase the imported article, as six cents on the running yard would diminish it. He believed that there was a great fallacy in what is called protection; but he would reserve what he had to say on that point for some other stage of the discussion.

We are also told that it is a great mistake to suppose that the price of the domestic article was increased in consequence of the duty, or that the loss of the planter was equal to the duty. Fortunately the facts brought out on this occasion were sufficient to expose the fallacy of the doctrine, that duties did not increase prices. From undoubted information in his possession, as he had already stated, the invoice price of imported bagging this year may be put down at about nine cents the running yard. Allow one cent per yard for the expense of delivering it in Charleston (which he supposed would be near the truth), and six cents duty on the running yard; and the cost in Charleston, including all, would be sixteen cents the yard—precisely what is said to be the cost of the article at Louisville. Assuming the per cent. laid on for profit by the dealers in both places to be the same, it would follow that the Carolina planters, and those of the Southwest, who get from Kentucky, would pay the same price for their bagging; with this dif-

ference—that for every yard the former used, they would pay six cents into the treasury; while, from the latter, who would pay as much for the article, the treasury would not receive a cent. Now it is certain, that, were it not for the duty, the planters of the Southwest would, after paying the duty, get the imported bagging as cheap, or nearly so, as the Carolina planters do.

Now, assuming that, under a duty of six cents the running yard, 3,000,000 of yards would still be imported, the revenue from it would be $180,000; and would, on the supposition that 11,000,000 yards would be required, leave 8,000,000 yards to be supplied at home, and on which the planters would lose a sum equal to the duty—that is, $480,000; but which does not go into the treasury,—and which must, on the supposition, go either to the manufacturers or be lost to the community. If the statements which have been made, are to be relied on, the profits of the manufacturers would be small; and, of course, but a small portion would go to them, and the balance be, consequently, lost. Now, if $4,000 profit annually be allowed to each factory, it would leave nearly $400,000 as a dead loss to the industry of the country; and such, he believed, would be found to be the case on most of the protected articles, if the result could be traced. He doubted whether there would be a single exception in which there would not be a heavy loss comparatively to the treasury and the community, and but small gains, if any, to those intended to be benefited.

To elude the force of the argument, it is attempted to be shown that the imported article costs more than he stated; and that the domestic might be afforded at less than sixteen cents. It is the only way it could be met. He would give a short, but conclusive reply. If the fact be so—if the cost abroad and at home was nearly the same, without the duty and charges on the imported article, as is contended—on what ground can the enormous duty proposed by this bill

be justified ? It is either wanton oppression, or a heavy loss to the great interest on which it is imposed.

SPEECH

On the Passage of the Tariff Bill, delivered in the Senate, August 5th, 1842.

Mr. President: The Tariff Bill of 1828 has, by common consent, been called the Bill of Abominations; but, bad as that was, this—all things considered—is worse. It is, in the first place, worse, because it is more onerous; not that the duties are on an average higher—for they are probably less, by about 10 per cent. This, it is estimated, will average about 36 per cent. ad valorem on the aggregate of the imports; and that averaged, according to the best estimate that I have been able to make, about 46. But this difference is more than made up by other considerations; and, among them, that allowed long credit for the payment of the duties; this requires them to be paid in cash, which will add to their burden not less than 4 or 5 per cent. Again: there has been a great falling off in prices on almost all articles; which increases, in the same proportion, the rate per cent. on the cost of all specific duties—probably not much less than 50 per cent.; which, considering the number and the importance of the articles on which they are laid in this bill, will much more than make up the difference. To these may be added its arbitrary and oppressive provisions for valuing goods, and collecting duties, with the fact that it goes into operation, without notice, immediately on its passage, which would fall heavily on the commercial interest; and the undue weight it would impose on the less wealthy portions of the community, in consequence of the

higher duties it lays on coarse articles of general consumption.

It is, in the next place, worse, because, if it should become a law, it would become so under circumstances still more objectionable than did the Tariff of 1828. I shall not dwell on the fact that, if it should, it would entirely supersede the Compromise Act, and violate pledges openly given here in this Chamber, by its distinguished author, and the present Governor of Massachusetts, then a member of this body—that, if we of the South would adhere to the compromise while it was operating favorably to the manufacturing interest, they would stand by it when it came to operate favorably to us. I pass, also, without dwelling on the fact, that it proposes to repeal the provision in the Act of Distribution, which declares that the act should cease to operate if the duties should be raised above 20 per cent.—a provision, without which neither that nor the Bankrupt Bill could have become a law,—and which was inserted under circumstances that pledged the faith of the majority to abide by it. I dwell not on these double breaches of plighted faith, should this bill become a law—not because I regard them as slight objections; on the contrary, they are of a serious character, and likely to exercise a very pernicious influence over our future legislation,—by preventing amicable adjustments of questions that may hereafter threaten the peace of the country,—but because I have, on a former occasion, expressed my views fully in relation to them. I pass on to the objection that, if this bill should pass, it would be against the clear light of experience. When that of 1828 passed, we had but little experience as to the effects of the protective policy. It is true that the act of 1824 had been in operation a few years, —which may be regarded the first ever passed, which avowed the policy; but it had been in operation too short a time to shed much light on the subject. Since then, our experience has been greatly enlarged. We have had periods of consider-

able duration both of increase and reduction of duties, and their effects respectively on the industry and prosperity of the country, which enables us to compare, from authentic public documents, the results. It is most triumphantly in favor of reduction, though made under circumstances most adverse to it, and most favorable to increase. I have, on another occasion during this session, shown, from the commercial tables and other authentic sources, that, during the eight years of high duties, the increase of our foreign commerce, and of our tonnage, both coastwise and foreign, was almost entirely arrested; and that the exports of domestic manufactures actually fell off, although it was a period exempt from any general convulsion in trade or derangement of the currency. On the same occasion, I also showed that the eight years of the reduction of duties, which followed, were marked by an extraordinary impulse given to every branch of industry—agricultural, commercial, navigating, and manufacturing. Our exports of domestic productions, and our tonnage, increased fully a third, and our manufactures still more; and this, too, under the adverse circumstances of an inflated, unsteady currency, and the whole machinery of commerce deranged and broken. And yet, with this flood of light from authentic documents before us, what are we about to do? To pass this bill, and to restore the old, and, as was hoped, exploded system of restrictions and prohibitions, under the false guise of a revenue bill,—as I shall next proceed to show.

Yes, Senators, we are told by the Chairman of the Finance Committee, and others who advocate it, that this bill is intended for revenue, and that of 1828 was for protection; and it is on this assumption they attempt to discriminate between the two, and hope to reconcile the people to the measure. It is, indeed, true that the bill of 1828 was for protection. The treasury was then well replenished, and not an additional dollar was needed to meet the demands of the

Government; and, what made it worse, the public debt was then reduced to a small amount; and that which remained was in a regular and rapid course of reduction, which would, in a few years, entirely extinguish the whole, when more than half of the revenue would have become surplus. It was under these circumstances that the bill of 1828, which so greatly increased the duties, was introduced, and became a law—an act of legislative folly and wickedness almost without example. Well has the community paid the penalty. Yes, much which it now suffers, and has suffered, and must suffer, are but its bitter fruits. It was that which so enormously increased the surplus revenue after the extinguishment of the debt in 1832; and it was that surplus which mainly led to the vast expansion of the currency that followed, and from which have succeeded so many disasters. It was that which wrecked the currency,—overthrew the almost entire machinery of commerce,—precipitated hundreds of thousands from affluence to want,—and which has done so much to taint private and public morals.

But is this a revenue bill? I deny it. We have, indeed, the word of the Chairman for it. He tells us it is necessary to meet the expenditures of the Government; of which, however, he gave us but little proof, except his word. But I must inform him that he must go a step further before he can satisfy me. He must not only show that it is necessary to meet the expenditures of the Government, but, also, that those expenditures themselves are necessary. He must show that retrenchment and economy have done their full work; that all useless expenditures have been lopped off; that exact economy has been enforced in every branch, both in the collection and disbursement of the revenue; and, above all, that none of the resources of the Government have been thrown away or surrendered. Has he done all this? Or, has he showed that it has been even attempted?—that either he or his party have made any systematic or serious effort to

redeem the pledge, so often and solemnly given before the election, that the expenditures should be greatly reduced below what they then were, and be brought down to seventeen, sixteen, and even as low as thirteen millions of dollars annually? Has not their course been directly the reverse, since they came into power? Have they not surrendered one of the two great sources of revenue—the public lands; raised the expenditure from twenty-one or two millions, to twenty-seven annually; and increased the public debt from five and a half to more than twenty millions? And has not all this been done, under circumstances well calculated to excite suspicion that the real design was to create a necessity for duties, with the express view of affording protection to manufactures? Have they not, indeed, told us, again and again, through their great head and organ, that the two great and indispensable measures to relieve the country from existing embarrassments were, a Protective Tariff, and a National Bank? And is it, then, uncharitable to assert that the expenditures, so far from being necessary to the just and economical wants of the Government, have been raised to what they are, with the design of passing this bill in the only way it could be passed—under the guise of revenue?

But, if it were admitted that the amount it proposes to raise is necessary to meet the expenditures of the Government, and that the expenditures themselves were necessary, —the Chairman must still go one step further, to make good his assertion that this is a bill for revenue, and not for protection. He must show that the duties it proposes are laid on revenue, and not on protective principles.

No two things, Senators, are more different than duties for revenue and protection. They are as opposite as light and darkness. The one is friendly, and the other hostile, to the importation of the article on which they may be imposed. Revenue seeks not to exclude or diminish the amount imported; on the contrary, if that should be the result, it

neither designed nor desired it. While it takes, it patronizes; and patronizes, that it may take more. It is the reverse, in every respect, with protection. It seeks, directly, exclusion or diminution. It is the desired result; and, if it fails in that, it fails in its object. But, although so hostile in character, they are intimately blended in practice. Every duty imposed on an article manufactured in the country, if it be not raised to the point of prohibition, will give some revenue; and every one laid for revenue, be it ever so low, must afford some protection, as it is called. But, notwithstanding they are so blended in practice, plain and intelligible rules may be laid down, by which the one may be so distinguished from the other, as never to be confounded. To make a duty a revenue, and not a protective duty, it is indispensable, in the first place, that it should be necessary to meet the expenditures of the Government; and, in the next, that the expenditures themselves should be necessary for the support of the Government, without the deficit being caused intentionally, to raise the duty, either by a surrender of other sources of revenue, or by neglect or waste. In neither case, as has been stated, would the duty be for revenue. It must, in addition, never be so high as to prohibit the importation of the article: that would be utterly incompatible with the object of revenue. But there are other less obvious, though not less important rules, by which they may be discriminated with equal certainty.

On all articles on which duties can be imposed, there is a point in the rate of duties which may be called the maximum point of revenue—that is, a point at which the greatest amount of revenue would be raised. If it be elevated above that, the importation of the article would fall off more rapidly than the duty would be raised; and, if depressed below it, the reverse effect would follow: that is, the duty would decrease more rapidly than the importation would increase. If the duty be raised above that point, it is man-

ifest that all the intermediate space between the maximum point and that to which it may be raised, would be purely protective and not at all for revenue. Another rule remains to be laid down, drawn from the facts just stated, still more important than the preceding, as far as the point under consideration is involved. It results from the facts stated, that any given amount, other than the maximum, may be collected on any article, by two distinct rates of duty—the one above the maximum point, and the other below it. The lower is the revenue rate, and the higher the protective; and all the intermediate is purely protective, whatever it be called, and involves, to that extent, the principle of prohibition, as perfectly as if raised so high as to exclude importation totally. It follows, that all duties not laid strictly for revenue, are purely protective, whether called incidental or not; and hence the distinction taken by the Senator from Arkansas immediately on my left (Mr. Sevier), between incidental and accidental protection, is not less true and philosophical than striking. The latter is the only protection compatible with the principles on which duties for revenue are laid.

This bill, regarded as a revenue bill, cannot stand the test of any one of these rules. That it cannot as to the two first, has already been shown. That some of the duties amount to prohibition, has been admitted by the Chairman. To those he admits, a long list of others might be added. I have in my drawer an enumeration of many of them, furnished by an intelligent and experienced merchant; but I will not occupy the time of the Senate by reading the catalogue. That a large portion of the duties on the protected articles exceed the maximum point of revenue, will not be denied; and that there are few or none imposed on protected articles, on which an equal revenue might not be raised at a lower rate of duty, will be admitted. As, then, every feature of this bill is stamped with protection, it is as much a

bill for protection as that of 1828. Wherein, then, does it differ? In this: that went openly, boldly, and manfully for protection; and this assumes the guise of revenue. That carried the drawn dagger in its hand; and this conceals it in its bosom. That imposed the burden of protection—a burden admitted to be unjust, unequal, and oppressive, but it was the only burden; but this superadds the weight of its false guise—a heavy debt, extravagant expenditures, the loss of public lands, and the prostration of public credit, with the intent of concealing its purpose. And this, too, may be added to the other objections, which makes it worse than its predecessor in abomination.

I am, Senators, now brought to the important question, Why should such a bill pass? Who asks for it, and on what ground? It comes ostensibly from the manufacturing interest. I say ostensibly; for I shall show, in the sequel, that there are other and more powerful interests among its advocates and supporters. And on what grounds do they ask it? It is on that of protection. Protection against what? Against violence, oppression, or fraud? If so, Government is bound to afford it, if it comes within the sphere of its powers, cost what it may. It is the object for which Government is instituted; and if it fails in this, it fails in the highest point of duty. No; it is against neither violence, oppression, nor fraud. There is no complaint of being disturbed in property or pursuits, or of being defrauded out of the proceeds of industry. Against what, then, is protection asked? It is against low prices. The manufacturers complain that they cannot afford to carry on their pursuits at prices as low as the present; and that, unless they can get higher, they must give up manufacturing. The evil, then, is low prices; and what they ask of Government is to give them higher. But how do they ask it to be done? Do they ask Government to compel those who may want to purchase to give them higher? No; that would be a hard task, and

not a little odious; difficult to be defended on the principles of equity, justice, or the constitution—or to be enforced, if it could be. Do they ask that a tax should be laid on the rest of the community, and the proceeds divided among them, to make up for low prices? or, in other words, do they ask for a bounty? No; that would be rather too open, oppressive, and indefensible. How, then, do they ask it to be done? By putting down competition, by the imposition of taxes on the products of others, so as to give them the exclusion of the market, or at least a decided advantage over others; and thereby enable them to sell at higher prices. Stripped of all disguise, this is their request; and this they call protection. Protection, indeed! Call it tribute,—levy,—exaction,—monopoly,—plunder;—or, if these be too harsh, call it charity, assistance, aid—any thing rather than protection, with which it has not a feature in common.

Considered in this milder light, where, Senators, will you find the power to give the assistance asked? Or, if that can be found, how can you reconcile it to the principles of justice or equity to grant it? But suppose this to be overcome, I ask, are you prepared to adopt a principle, that, whenever any branch of industry is suffering from depressed prices, it is your duty to call on all others to assist it? Such is the broad principle that lies at the bottom of what is asked; and what would it be, if carried out, but equalization of income? And what this, but agrarianism as to income? And in what would that differ, in effect, from the agrarianism of property, which you, on the opposite side of the Chamber, profess so much to detest? But, if you are not ready to carry out the principle in its full extent, are you prepared to restrict it to a single class—the manufacturers? Will you give them the great and exclusive advantage of having the right of demanding assistance from the rest of the community, whenever their profits are depressed below the point of remuneration by vicissitudes to which all others are exposed.

But, suppose all these difficulties surmounted; there is one rule, where assistance is asked, which on no principle of justice, equity, or reason, can be violated—and that is, to ascertain, from careful and cautious examination, whether, in fact, it be needed by the party asking; and, if it be, whether the one of whom it is asked can afford to give it or not. Now, I ask whether any such examination has been made? Has the Finance Committee, which reported this bill, or the Committee on Manufactures, to which the numerous petitions have been referred, or any member of the majority who supports this bill, made an impartial or careful examination, in order to ascertain whether they who ask aid can carry on their manufactures without higher prices? Or, have they given themselves the least trouble to ascertain whether the other portions of the community could afford to give them higher? Will any one pretend that he has? I can say, as to the interests with which I am individually connected, I have heard of no such inquiry; and can add further, from my experience (and fearlessly appeal to every planter in the Chamber to confirm my statement), that the great cotton-growing interest cannot afford to give higher prices for its supplies. As much as the manufacturing interest is embarrassed, it is not more so than the cotton-growing interest; and as moderate as may be the profit of the one, it cannot be more moderate than that of the other. I ask those who represent the other great agricultural staples,—I ask the great provision interest of the West, the navigating, the commercial, and, finally, the great mechanical and handicraft interests—if they have been asked whether they can afford to give higher prices for their supplies? And, if so, what was their answer?

If, then, no such examination has been made, what has been done? Those who have asked for aid, have been permitted to fix the amount, according to their own cupidity; and this bill has fixed the assessment on the other interests

of the community, without consulting them, with all the provisions necessary for extorting the amount in the promptest manner. Government is to descend from its high appointed duty, and become the agent of a portion of the community to extort, under the guise of protection, tribute from the rest of the community; and thus defeat the end of its institution, by perverting powers, intended for the protection of all, into the means of oppressing one portion for the benefit of another.

But there never yet has been devised a scheme of emptying the pockets of one portion of the community into those of the other, however unjust or oppressive, for which plausible reasons could not be found; and few have been so prolific of such, as that under consideration. Among them, one of the most plausible is, that the competition, which is asked to be excluded, is that of foreigners. The competition is represented to be between home and foreign industry; and he who opposes what is asked, is held up as a friend to foreign, and the enemy to home industry, and is regarded as very little short of being a traitor to his country. I take issue on the fact. I deny that there is, or can be, any competition between home and foreign industry, but through the latter; and assert that the real competition, in all cases, is and must be, between one branch of home industry and another. To make good the position taken, I rely on a simple fact, which none will deny—that imports are received in exchange for exports. From that, it follows, if there be no export trade, there will be no import trade; and that to cut off the exports, is to cut off the imports. It is, then, not the imports, but the exports which are exchanged for them, and without which they would not be introduced at all, that causes, in reality, the competition. It matters not how low the wages of other countries may be, and how cheap their productions, if we have no exports, they cannot compete with ours.

The real competition, then, is with that industry which produces the articles for export, and which purchases them, and carries them abroad, and brings back the imported articles in exchange for them; and the real complaint is, that those so employed can furnish the market cheaper than those who manufacture articles similar to the imported; and what, in truth, is asked, is,—that this cheaper process of supplying the market should be taxed, by imposing high duties on the importation of the articles received in exchange for those exported, in order to give the dearer a monopoly,—so that it may sell its products for higher prices. It is, in fact, a warfare on the part of the manufacturing industry, and those associated with it, against the export industry of the community, and those associated with it. Now, I ask, what is that export industry? What is the amount produced? by whom produced? and the number of persons connected with it, compared with those who ask a monopoly against it?

The annual domestic exports of the country may be put down, even in the present embarrassed condition of the country, at $110,000,000, valued at our own ports. It is drawn from the forest, the ocean, and the soil, except about ten millions of domestic manufactures, and is the product of that vast mass of industry engaged in the various branches of the lumber business,—the fisheries,—in raising grain and stock,—producing the great agricultural staples,—rice, cotton, and tobacco;—in purchasing and shipping abroad these various products, and exchanging and bringing home, in return, the products of other countries,—with all the associated industry necessary to keep this vast machinery in motion—the ship-builder, the sailor, and the hundreds of thousands of mechanics, including manufacturers themselves, and others, who furnish the various necessary supplies for that purpose. It is difficult to estimate with precision the number employed, directly or indirectly, in keeping in mo-

tion this vast machinery,—of which our great commercial cities, and numerous ships, which whiten the ocean, are but a small part. A careful examination of the returns of the statistics accompanying the census, would afford a probable estimate; and on the faith of such examination, made by a friend, I feel myself warranted in saying that it exceeds those employed in manufacturing, with the associated industry necessary to furnish them with supplies, in the proportion of at least ten to one. It is probably much greater.

Such is the export industry of the country; such its amount; such the sources from which it is drawn; such the variety and magnitude of its branches; and such the proportion in numbers which those who are employed in it, directly and indirectly, bear to those who are, in like manner, employed in manufacturing industry. It is this vast and various amount of industry employed at home, and drawing from the forest, the water, and the soil, as it were by creation, this immense surplus wealth to be sent abroad, and exchanged for the productions of the rest of the globe, which is stigmatized as foreign industry! And it is this, Senators, which you are now called on to tax, by imposing the high duties proposed in this bill on the articles imported in exchange, in order to exclude them, in whole or part, for the supposed benefit of a very minor interest, which chooses to regard itself as exclusively entitled to your protection and favor. Are you prepared to respond favorably to the call, by voting for this bill? Waiving the high questions of justice and constitutional power, I propose to examine, in the next place, the mere question of expediency; and, for this purpose, the operation of these high protective duties—tracing, first, their effects on the manufacturing interest intended to be benefited; and afterwards on the export interest, against which they are directed.

And here let me say, before I enter on this part of my subject, that I am no enemy to the manufacturing interest.

On the contrary, few regard it with greater favor, or place a higher estimate on its importance, than myself. According to my conception, the great advance made in the arts by mechanical and chemical inventions and discoveries, in the last three or four generations, has done more for civilization, and the elevation of the human race, than all other causes combined in the same period. With this impression, I behold with pleasure the progress of the arts in every department, and look to them, mainly, as the great means of bringing about a higher state of civilization, with all the accompanying blessings, physical, political, and moral. It is not to them, nor to the manufacturing interest, I object; but to what I believe to be the unjust, the unconstitutional, the mistaken and pernicious means of bettering their condition by what is called the protective system.

In tracing what would be the effects of the high protective duties proposed by the bill, I shall suppose all the grounds assumed by its advocates to be true; that the low prices complained of are caused by the imports received in exchange for exports; that the imports have, to a great extent, taken possession of the market; and that the imposition of high duties proposed on the imports would exclude them either wholly or to a great extent; and that the market, in consequence, would be relieved, and be followed by the rise of price desired. I assume all to be as stated, because it is the supposition most favorable to those who ask for high duties, and the one on which they rely to make out their case. It is my wish to treat the subject with the utmost fairness, having no other object in view but truth.

According, then, to the supposition, the first leading effect of these high protective duties would be to exclude the imported articles, against which they are asked, either entirely, or to a great extent. If they should fail in this, it is obvious that they would fail in the immediate object desired,—and that the whole would be an abortion. What

then, I ask, must be the necessary consequences of the exclusion of the articles against which the protective duties are proposed to be laid? The answer is clear. The portion of the exports which would have been exchanged for them, must then return in the unprotected and free articles; and, among the latter, specie, in order to purchase from the manufacturers at home the supplies which, but for the duties, would have been purchased abroad. And what would be the effect of this, but to turn the exchange, artificially, in our favor, as against other countries, and in favor of the manufacturing portion of the country, as against all others? And what would this be, but an artificial concentration of the specie of the country in the manufacturing region, accompanied by a corresponding expansion of the currency from that cause, and still more from the discounts of the banks? I next ask, what must be the effect of such expansion, but that of raising prices there? and what of this, but of increasing the expense of manufacturing, and that continuing till the increased expense shall raise the cost of producing so high, as to be equal to that of the imported article, with the addition of the duty, when the importations will again commence, and an additional duty be demanded?

This inevitable result would be accelerated by two causes. The effect of the duty in preventing importation would cause a falling off of the demand abroad, and a consequent falling off, temporarily, of price there. The extent would depend on the extent of the falling off, compared with the general demand for the article; and, of course, would be greater in some articles, and less in others. All would be more or less affected; but none to an extent so great as was insisted on by the Chairman, and other advocates of the system, the other day, in the discussion of the duty on cotton bagging; but still sufficient, in most cases, to be sensibly felt. I say temporarily; for the great laws which regulate and equalize prices would, in time, cause, in turn, a corres-

ponding falling off in the production of the article, proportional to the falling off of the demand.

But another and more powerful cause would be put in operation at home, which would tend still more to shorten the periods between the demand for protection. The stimulus caused by the expansion of the currency, and increased demand and prices consequent on the exclusion of the article from abroad, would tempt numerous adventurers to rush into the business, often without experience or capital; and the increased production, in consequence, thrown into the market, would greatly accelerate the period of renewed distress and embarrassment, and demand for additional protection.

The history of the system fully illustrates the operation of these causes, and the truth of the conclusion drawn from them. Every protective tariff that Congress has ever laid, has disappointed the hopes of its advocates; and has been followed, at short intervals, by a demand for higher duties, as I have shown on a former occasion.* The cry has been protection after protection: one bottle after another, and each succeeding one more capacious than the preceding. Repetition has increased the demand, till the whole terminates in one universal explosion,—such as that from which the country is now struggling to escape.

Such are the effects of the system on the interest in favor of which these high protective duties are laid; and I shall now proceed to trace them on the great export interest, against which they are laid. I start at the same point—the exclusion, in part or whole, of the importation of the articles against which they are laid—their very object, as I have stated; and which, if not effected, the whole must fail. The necessary consequence of the falling off of the imports, must be, ultimately, the falling off of the exports. They are mutually dependent on each other. It

* Mr. Calhoun's speech on the assumption of the debts of the States.

is admitted that the amount of the exports limits the imports; and that, taking a series of years together, their value, fairly estimated, will be equal, or nearly so; but it is no less certain that the imports limit, in like manner, the exports. If all imports be prohibited, all exports must cease; and if a given amount of imports only be admitted, the exports must finally sink down to the same amount. For like reason, if such high duties be imposed that only a limited amount can be imported with profit (which is the case in question), the exports must, in like manner, sink down to the same amount. In this aspect, it is proper to trace the effect of another and powerful cause, intimately connected with that under consideration.

This falling off of the imports would necessarily cause a falling off of the demand in the market abroad for our exports. The capacity of our customers there to buy from us, depends, in a great measure, on their capacity of selling to us. To impair the one, is to impair the other. The joint operation of the two causes would be highly adverse to the export industry of the country. If it should not cause an actual decrease of the exports, it would arrest, or greatly retard, their increase,—and with it, the commerce, the navigation, and their associate interests,—which explains why those great branches of business were arrested in their growth under the protective tariffs of 1824 and 1828, and received such a mighty impulse from the reduction of duties under the Compromise Act, as shown from the commercial tables, exhibited on a former occasion during the present session.*

But the loss would not be limited to the falling off of the quantity of the exports. There would be a falling off of price, as well as quantity. The effects of these high protective duties, by preventing imports, would be, to cause a drain of specie from abroad, as has been stated, to purchase at home the supplies which before had been obtained abroad.

* Mr. Calhoun's speech on Mr. Clay's resolutions.

This, together with the diminished capacity of our foreign customers to buy, as just explained, would tend to cause a fall in the price of the articles exported, which would be more or less considerable on each, according to circumstances. Both causes combined—the falling off of quantity and price—would proportionably diminish the means of those directly and indirectly engaged in the great export business of the country; which would be followed by another and more powerful cause of their impoverishment—that they would have to give a higher price—more money, out of their diminished means, to purchase their supplies, whether imported or manufactured at home, than what they could have got them for abroad. Say that the effect would be to increase prices but 25 per cent.: then they would have to give one dollar and twenty-five cents, where, otherwise, one dollar would have been sufficient. The joint effects of the whole would be the diminution of means, and a contraction of the currency and fall of prices in the portion of the Union where the export interest is predominant; and an expansion of the currency, and increase of price in that where the manufacturing interest is as has been explained. The consequence would be, to compel the suffering interest to resort, in the first place, to economy and curtailment of expenses; and, if the system be continued, to the abandonment of pursuits that no longer afford remunerating profits.

I next propose to consider what must be the consequence of that result on the business and trade of the country. For this purpose, I propose to select a single article; as it will be much easier to trace the effects on a single article with precision and satisfaction, than it would be on so great a number and variety. I shall select cotton, because by far the most considerable in the list of domestic exports, and the one with which I am the best acquainted.

When the cultivation of cotton is profitable, those engaged in it devote their attention almost exclusively to it,

and rely on the proceeds of their crop to purchase almost every article of supply, except bread; and many even this, to a great extent. But when it ceases to be profitable, from high protective duties, or other causes, they curtail their expenses, and fall back on their own resources, with which they abound, to supply their wants. Household industry revives; and strong, substantial, coarse clothing is manufactured from cotton and wool, for their families and domestics. In addition to cotton, corn and other grains are cultivated in sufficient abundance, not only for bread, but for the rearing of stock of various descriptions—hogs, horses, mules, cattle, and sheep. The effect of all this is to diminish greatly the consumption of the manufactured articles, whether imported, or made in other portions of the Union; and still, in a greater degree, the purchase of meat, grain, and stock, followed by a great falling off in the trade between the cotton region of the South and the manufacturing region of the North on one side, and, on the other, the great provision and stock region of the West. But the effects do not end there. The West—the great and fertile valley of the Mississippi—draws its means of purchasing from the manufacturing region almost exclusively from the cotton; and the falling off of its trade with that region is followed by a corresponding falling off in that with the manufacturing. The end is, that this scheme of compelling others to give higher prices than they can afford, terminates, as it regards this great branch of industry, in the impoverishment of customers, and loss of the trade of two great sections of the Union. It is thus, Senators, that every act of folly or vice (through the principle of retributive justice, so deeply seated by an all-wise Providence in the political and moral world) is sure at last to recoil on its authors.

What is said of cotton, is equally applicable to every other branch of industry connected, directly or indirectly, with the great export industry of the country. This bill would

affect them all alike; cause them to sell less, get less, and give more for what they buy, and to fall back on their own resources for supplies; or abandon their pursuits, to be followed, finally, by impoverishment and loss of custom to those with whom it originates. The whole tendeney of the measure is to isolate country from country, State from State, neighborhood from neighborhood, and family from family, with diminished means and increasing poverty as the circle contracts. The consummation of the system, to use an illustration no less true than striking of a deceased friend,* "is Robinson Crusoe in goat-skin."

Such would be the effects of the proposed high protective duties, both on the interest in favor of which, and that against which they are intended; even on the supposition that the evil is such as the advocates of this bill suppose. But such is not the case. The present embarrassment of the manufacturing interest is not caused by the fact, as supposed, that the imported articles have taken possession of the market, almost to the exclusion of the domestic. It is far otherwise. Of the whole amount, in value, of the articles proposed to be protected by this bill, the imported bear but a small proportion to the domestic. The Chairman of the Committee on Manufactures (Mr. Simmons) estimates the former at $45,000,000, and the latter at $400,000,000; that is, about one to nine. This estimate is based on the census of 1840. It is probably less now than then, in consequence of the increase of the manufactures since, and the falling off of the imports. I venture nothing in saying that, at no former period of our history, has the disproportion been so great between them, or the competition so decidedly against the imported articles. If further and even more decided proof be required, it will be found in the state of the exchange. It is now about 3½ per cent. in favor of New-York, against Liverpool; which is proof conclusive that our exports, after

* Hon. Warren R. Davis.

meeting our engagements abroad, are more than sufficient to supply the demands of the country for imported articles, even at the comparatively low rates of duty for the last year; so much so, that it is more profitable to import money than goods. As proof of the fact, I see it stated that one of the banks of New-York has given orders to import a large amount of specie on speculation. It is in such a state of things, and not such as that supposed, that it is proposed to lay these high protective duties; and the question is, how will they work under it?

That they will still more effectually exclude the imported articles, and still more strongly turn the exchange in our favor, and thereby give a local and artificial expansion to the currency in the manufacturing region, and a temporary stimulus to that branch of industry, is probable; but there is no hazard in saying that it would be fleeting, beyond what has been usual from the same cause, and would be succeeded more speedily, and to a greater extent, by the falling off of the home market, through the operation of causes already explained. The result, in a few words, would be a greater and more sudden reaction; to be followed by a more sudden and more extensive loss of the home market; so that, whatever might be gained by the exclusion of foreign articles, would be far outweighed by the loss of it. What else would follow, I will not attempt to anticipate. It would be the first time that a high protective tariff has ever been adopted under similar circumstances; and it would be difficult, without the aid of experience, in a case so unprecedented, and on a subject so complicated, to trace consequences with any thing like precision or certainty.

The advocates of the protective, or rather the prohibitory system (for this is the more appropriate name), have been led into error, from not distinguishing between the situation of our country and that of England. That country has risen to great power and wealth, and they attribute it to her pro-

hibitory policy—overlooking the great advantages of her position; her greater freedom and security, compared to the rest of Europe; and forgetting that other European countries, and Spain in particular, pushed the system even further, with the very reverse effect. But admitting that the greatness of England may, in part, be attributed to the system; still it would furnish no proof that its effects would be the same with us. Our situation is, in many respects, strikingly different from hers; and, among others, in the important particular, as it affects the point under consideration, that she never had but few raw materials to export, and they of no great value: coal and salt now, and wool formerly; while our country has numerous such products, and of the greatest value, in the general commerce of the world. England had to create, by manufacturing, the products for her export trade; but, with us, our soil and climate and forests are the great sources from which they are drawn. To extract them from these, to ship them abroad, and exchange them for the products of the rest of the world, forms the basis of our industry, as has been shown. In this is to be found the great counteracting cause, with us, to the system of prohibitory duties; the operation of which I have endeavored rapidly to sketch. It has heretofore defeated, and will continue to defeat, the hopes of its advocates. In England, there neither was nor is any such counteracting cause; and hence the comparative facility and safety with which it could be introduced and established there.

But, it was asked, what is to be done? What course does true policy require, to give the highest possible impulse to the industry and prosperity of the country, including manufactures and all? I answer, the very reverse of that proposed by this bill. Instead of looking to the home market, and shaping all our policy to secure this, we must look to the foreign, and shape it to secure that.

We have, Senators, reached a remarkable point in the

progress of civilization, and the mechanical and chemical arts,—and which will require a great change in the policy of civilized nations. Within the last three or four generations, they have received an impulse far beyond all former example, and have now obtained a perfection before unknown. The result has been a wonderful increased facility of producing all articles of supply depending on those arts; that is, of those very articles which we call, in our financial language, protected articles; and against the importation of which, these high duties are, for the most part, intended. In consequence of this increased facility, it now requires but a small part, comparatively, of the labor and capital of a country, to clothe its people, and supply itself with most of the products of the useful arts; and hence, all civilized people, with few exceptions, are producing their own supply, and even overstocking their own market. It results, that no people, restricted to the home market, can, in the present advanced state of the useful arts, rise to greatness and wealth by manufactures. For that purpose, they must compete successfully for the foreign market, in the younger, less advanced, and less civilized countries. This necessity for more enlarged and freer intercourse between the older, more advanced, and more civilized nations, and the younger, less advanced, and less civilized, at a time when the whole globe is laid open to our knowledge, and a rapidity and facility of intercourse established between all its parts heretofore unknown, is one of the mighty means ordained by Providence to spread population, light, civilization, and prosperity, far and wide over its entire surface.

The great problem then is, how is the foreign market to be commanded? I answer, by the reverse means proposed in order to command the home market—low, instead of high duties; and a sound currency, fixed, stable, and as nearly as possible on the level with the general currency of the world, instead of an inflated and fluctuating one.

Nothing can be more hostile to the command of foreign trade, than high prohibitory duties, even as it regards the exports of manufactures. The artificial expansion of the currency, and consequent rise of price and increased expense of production, which, as has been shown, must follow, would be of themselves fatal;—but to this must be added another cause not much less so. I refer to the general pressure of the prohibitory system on the export industry of the country, as already explained, and which would fall with as much severity on the export of manufactures, as on that of cotton, or any other manufactured article. The system operates with like effect on exports, whether of raw materials or manufactured articles in the last and highest state of finish. The reason is the same as to both. This begins to be understood in countries the most advanced in the arts, and whose exports consist almost exclusively of manufactured articles—and especially England, the most so of any; and hence they have already begun the process of reduction of duties, with the view of increasing their exports. In the recent adjustment of her tariff, England, with that avowed view, made great reduction in her import duties.

But can we hope to compete successfully in the market of the world by means of a sound currency, and low duties? I answer, if we cannot, we may give up the contest as desperate, and the sooner the better. It is idle, and worse than idle, to attempt to add to the growth of our manufactures by the prohibitory system. They have already reached, under its influence, their full, but stunted growth. To attempt to push them further, must react, and retard, instead of accelerating their growth. The home market cannot consume our immense surplus productions of provisions, lumber, cotton, and tobacco; nor find employment in manufacturing, for home consumption, the vast amount of labor employed in raising the surplus beyond the home consump-

tion, and which can only find a market abroad. Take the single article of cotton. It takes, at the least calculation, 700,000 laborers to produce the crop—more than twice the number, on a fair calculation, employed in all the branches of manufactures which can expect to be benefited by these high duties. Less than the sixth part would be ample to raise every pound of cotton necessary for the home market, if every yard of cotton cloth consumed at home were manufactured at home, and made from home-raised cotton. What, then, I ask, is to become of the five or six hundred thousand laborers now employed in raising the article for the foreign market? How can they find employment in manufacturing, when 91 parts in 100 of all the protected articles consumed in the country are now made at home? And if not in manufacturing, how else can they be employed? In raising provisions? Those engaged in that already supply, and more than supply, the home market; and how shall they find employment in that quarter? How those employed in the culture of tobacco, and the lumber business, and foreign trade? The alternative is inevitable—they must either persist, in spite of these high protective duties, with all the consequent loss and impoverishment which must follow them, in their present employment; or be forced into universal competition in producing the protected articles for the home market, which is already nearly fully supplied by the small amount of labor engaged in their production.

But why should we doubt our capacity to compete successfully, with a sound currency and low duties, in the general market of the world? A superabundance of cheap provisions, and of the raw material, as far as cotton is concerned, gives us great advantage in the greatest and most important branch of manufactures in modern times. To these may be added, a favorable situation for trade with all the world; the most abundant and cheap supply of what may be called natural capital—water, coal, timber, and soil;

and a peculiar aptitude for mechanical and chemical improvements on the part of our citizens, combined with great energy, industry and skill. There are but two drawbacks —high wages and high interest. In other respects, no country has superior advantages for manufacturing.

No one is more averse to the reduction of wages than I am, or entertains a greater respect for the laboring portion of the community. Nothing could induce me to adopt a course of policy that would impair their comfort or prosperity. But when we speak of wages, a distinction must be made between the real and artificial; between that which enables the laborer to exchange the fruits of his industry for the greatest amount of food, clothing, and other necessaries or comforts, without regard to the nominal amount in money, and the mere nominal money amount, that is often the result of an inflated currency, which, instead of increasing wages in proportion to the price and and means of the laborer, is one of the most effective means of defrauding him of his just dues. But it is a great mistake to suppose that low prices and high wages, estimated in money, are irreconcilable. Wages are but the residuum after deducting the profit of capital, the expense of production, including the exactions of the Government in the shape of taxes, which must certainly fall on production, however laid. The less that is paid for the use of capital, for the expense of production, and the exactions of the Government, the greater is the amount left for wages; and hence, by lessening these, prices may fall, and wages rise at the same time; and that is the combination which gives to labor its greatest reward, and places the prosperity of a country on the most durable basis. It is not my habit to stop and illustrate by example; but the importance of the point under consideration is such, that it would seem to justify it.

For this purpose, I shall select a product of the soil, and take the article of wheat. Suppose twenty bushels of wheat to

be produced on an acre of land in Virginia, worth ten dollars the acre; and twenty on an acre in England, worth one hundred dollars; and the wheat to be worth one dollar a bushel: suppose, also, the interest, or cost for the use of capital, to be the same in both countries—say 6 per cent. —and the cost of cultivation, and the exactions of the Government the same: it is manifest, on the supposition, the wages could not commence in England till $6 (the interest on $100) was paid; while in Virginia it would commence after 60 cents (the interest on $10) was paid. And hence in England, setting the cost of cultivation and the exactions of the Government aside, but $14 would be left for wages, while $19 40 would be left in Virginia; and hence, the product of labor in Virginia out of this greater residuum, might sell at a lower price, and leave still a greater fund for the reward of wages. The reduction of the cost of cultivation and of the exactions of the Government, would have the same effect as paying less for the capital, and would have the effect of making a still greater difference in the fund to pay wages. Taking the aggregate of the whole, and comparing all the elements that enter into the computation, I feel assured that, with a sound currency and low duties—that is, light taxes exacted on the part of the Government—the only element which is against us is the rate of interest; but that our advantages in other respects would more than counterbalance it; and that we have nothing to fear in open competition with other countries in the general market of the world. We would have our full share with the most successful; while, at the same time, the exuberance of the home market, relieved from oppressive burdens, would be vastly increased, and be more effectually and exclusively commanded by the productions of our own manufacturers, than it can possibly be by the unjust, unconstitutional, monopolizing, and oppressive scheme proposed by this bill.

I am not ignorant, Senators, that it is the work of time

and of great delicacy to pass from the artificial condition in which the country has long been placed, in reference to its industry, by a mistaken and mischievous system of policy. Sudden transitions, even to better habits or better conditions, are hazardous, unless slowly effected. With this impression, I have ever been averse to all sudden steps, both as to the currency and the system of policy which is now the subject of our deliberation, bad as I believe them both to be; and deep as my conviction is in favor of a sound currency and low duties, I am by no means disposed to reach, by a sudden transition, the points to which I firmly believe they may be reduced, consistently with the necessary wants of the Government, by a proper management of our finances.

But, as pernicious as the prohibitory or protective system may be on the industrial pursuits of the country, it is still more so on its politics and morals. That they have greatly degenerated within the last fifteen or twenty years; that there is less patriotism and purity, and more faction, selfishness, and corruption; that our public affairs are conducted with less dignity, decorum, and regard to economy, accountability, and public faith; and, finally, that the taint has extended to private as well as public morals; is, unhappily, but too manifest to be denied. If all this be traced back, the ultimate cause of this deplorable change will be found to originate mainly in the fact, that the duties (or, to speak more plainly, the taxes on the imports), from which now the whole revenue is derived, are so laid, that the most powerful portion of the community—not in numbers, but influence—are not only exempt from burden, but, in fact, according to their own conception, receive bounties from their operation. They crowd our tables with petitions, imploring Congress to impose taxes—high taxes; and rejoice at their imposition as the greatest blessing, and deplore their defeat as the greatest calamity; while other portions regard them in the opposite light, as oppressive and grievous burdens. Now, Senators, I

appeal to you—to the candor and good sense even of the friends of this bill—whether these facts do not furnish proof conclusive, that these high protective duties are regarded as bounties, and not taxes, by these petitioners, and those who support their course, and urge the passage of the bill? Can stronger proof be offered? Bounties may be implored, but it is not in human nature to pray for taxes, burden, and oppression, believing them to be such. I again appeal to you, and ask if the power of taxation can be perverted into an instrument in the hands of Government to enrich and aggrandize one portion of the community at the expense of the other, without causing all of the disastrous consequences, political and moral, which we all deplore? Can any thing be imagined more destructive of patriotism, and more productive of faction, selfishness, and violence; or more hostile to all economy and accountability in the administration of the fiscal department of the Government? Can those who regard taxes as a fruitful source of gain, or as the means of averting ruin, regard extravagance, waste, neglect, or any other means by which the expenditures may be increased, and the tax on imports raised, with the deep condemnation which their corrupting consequences on the politics and morals of the community demand? Let the history of the Government, since the introduction of the system, and its present wretched condition, respond.

But it would be doing injustice to charge the evils which have flowed from the system, and the greater which still threaten, exclusively on the manufacturing interest. Although it ostensibly originates with it, yet in fact it is the least efficient, and the most divided, of all that combination of interests from which the system draws its support. Among them, the first and most powerful is that active, vigilant, and well-trained corps, which lives on Government, or expects to live on it; which prospers most when the revenue is the greatest, the treasury the fullest, and the expen-

ditures the most profuse; and, of course, is ever the firm and faithful supporter of whatever system shall extract most from the pockets of the rest of the community, to be emptied into theirs. The next in order—when the Government is connected with the banks—when it receives their notes in its dues, and pays them away as cash, and uses them as its depositories and fiscal agents—are the banking and other associated interests, stockjobbers, brokers, and speculators; and which, like the other, profit the more in consequence of the connection,—the higher the revenue, the greater its surplus and the expenditures of the Government. It is less numerous, but still more active and powerful, in proportion, than the other. These form the basis; and on these, political aspirants, who hope to rise to power and control through it, rear their party organization. It is they who infuse into it the vital principle, and give life and energy and direction to the whole. This formidable combination, thus vivified and directed, rose to power in the late great political struggle, and is now in the ascendant; and it is to its death-like efforts to maintain and consolidate its power, that this and the late session owe their extraordinary proceedings. Its hope now is centred in this bill. In their estimation, without a protective tariff, all is lost; and, with it, that which is now lost, may be regained.

I have now, Senators, said what I intended. It may be asked, why have I spoken at all? It is not from the expectation of changing a single vote on the opposite side. That is hopeless. The indications, during this discussion, show, beyond doubt, a foregone determination on the part of its advocates to vote for the bill, without the slightest amendment, be its defects or errors ever so great. They have shut their eyes and closed their ears. The voice of an angel from heaven could not reach their understandings. Why, then, have I raised mine? Because my hope is in truth. "Crushed to earth, it will rise again." It is rising; and I

have added my voice to hasten its resurrection. Great already is the change of opinion on this subject since 1828. Then the plantation States, as they were called, stood alone against this false and oppressive system. We had scarcely an ally beyond their limits; and we had to throw off the crushing burden it imposed, as we best could, within the limits of the constitution. Very different is the case now. On whatever side the eye is turned, firm and faithful allies are to be seen. The great popular party is already rallied almost *en masse* around the banner which is leading the party to its final triumph. The few that still lag, will soon be rallied under its ample folds. On that banner is inscribed: FREE TRADE; LOW DUTIES; NO DEBT; SEPARATION FROM BANKS; ECONOMY; RETRENCHMENT, AND STRICT ADHERENCE TO THE CONSTITUTION. Victory in such a case will be great and glorious; and if its principles be faithfully and firmly adhered to, after it is achieved, much will it redound to the honor of those by whom it will have been won; and long will it perpetuate the liberty and prosperity of the country.

SPEECH

On the Tariff Bill, delivered in the Senate, August 27th, 1842.

[THE Bill which formed the subject of the preceding speech, having been vetoed by the President, another was introduced in its stead, which, on its passage, drew from Mr. Calhoun the following remarks:—]

MR. CALHOUN said; he felt it due to himself, and those he represented, that he should give his opinion on this bill,

[redacted] that were alleged for its passage. The hour [redacted] and the time short, and he should be as brief as [redacted].

He would begin with premising that it was apparent a large portion of the party in power were much embarrassed in determining how they should vote on this bill. But, if he might be permitted to decide, he would say that, if they had some cause for mortification (as they certainly had), they had still greater for exultation. If one of their favorite measures was lost by its passage, another and still greater and more important favorite would become a law, if appearances did not deceive. For his part, he regarded this (now, as he feared, on the eve of passage) as a measure more thoroughly for protection, and less for revenue, than any which had ever been submitted for the consideration of the Senate. It is the same, without material alteration, excepting the omission of the duty on tea and coffee, which recently passed this body, and fell under the veto of the Executive. That, he had already shown, was, all things considered, the most onerous ever introduced into the Senate. What he now proposed was, to show that the burden of this was more for protection, and less for revenue, than any preceding measure, not excepting the one vetoed.

An examination of this bill will show that there is not an article manufactured in the country, nor one which might come into competition with one that is, which is not subject to high protective duties. In the latter description may be placed linen, silks, worsted—which though not articles manufactured in the country, are subject to as high duties as those that are, in order to give the home manufactures of cotton and woollens the exclusive monopoly, if possible, of the market. To this may be added, that there is not a raw material scarcely, on which manufactures operate, or any material which is necessary to the process of manufacturing, which is not admitted duty free, or subject

to a very light one. But this is not all. Most of the articles for which the exports of domestic manufactures are exchanged abroad, are subject to light duties; and the two principal ones (tea and coffee) for which they are chiefly exchanged, are admitted duty free. It is that, as he had stated, which makes the main difference between this and the vetoed bill. On the other hand, all the articles for which the agricultural products of the country, including provisions of every description, and the great staples of the country, are almost exclusively exchanged, are subject to high duties: such as wines, silks, worsted, cottons, linens, cutlery, hardware, woollens and the other products of England and the continent. The bill, in short, is framed throughout with the greatest art and skill, to exempt, as far as possible, one branch of industry from all burdens and shackles, and to subject the other exclusively to them; and well may our political opponents raise their heads, amidst their many defeats, and exult at beholding a favorite measure—one, above all others, indispensable to their entire system of policy—about to be consummated; and that, unfortunately, by aid from our ranks. Who could have believed, but a few days since, that such an event would shortly occur?

It results from all that is stated, that this bill is so constructed as to give the greatest amount of protection, with the least of revenue, in proportion to the rates of the duties proposed, which all of the adroit skill of its authors could combine; and its result will be the least amount of revenue in proportion to the burden on the consumer. In that respect, there is no other bill ever passed to be compared to it; no, not that of 1816, nor 1824, nor 1828; nor even its immediate predecessor, the bill vetoed; for that fell far short, in consequence of the omission of the duty in this on tea and coffee. He hazarded little in saying that, if the duties it imposes on the protected articles were reduced two-thirds,

they would yield a third more to the treasury; and that for every dollar this bill puts into the public coffers, it will put three at least into the pockets of the manufacturers, unless (what would be worse, and which, he believed, would prove to be the case) it should annihilate that amount and more of the productive industry of the country, to the general impoverishment of the community.

But our political friends who are about (unfortunately, as he believed) to give this bill their votes, endeavor to console us by telling us it is a mere provisional measure, intended to meet present exigencies; and that it will be repealed or greatly modified in a short time after we get into power. They doubtless think so; but will it be the case? Can they, on reflection, seriously believe that the necessity, which they plead in excuse for their votes, will be less then than it is now?

Do they really think that the manufacturers will be better able to bear a reduction of these high duties, about to be imposed, as it is alleged, to save them, than they are now to do without them? If they do, they will be wofully mistaken. We have had a good deal of experience on the subject. The effect of high duties is not to decrease the necessity of continuing them, but the reverse—to increase the necessity of raising them still higher. This bill itself furnishes some striking evidence of the fact. Among the articles on which it imposes the highest rates of duty, is that of coarse cottons—rates not less than 100 per cent. on some descriptions; and they are the very articles so highly favored by the tariff of 1816, under the minimum duty, which the Senator from Kentucky (Mr. Crittenden) so kindly brought to his recollection in the course of his remarks. We were then told (as we now are of this bill) that it was a mere provisional measure to protect an infant manufacture, which, in a few years would protect itself by its own intrinsic energy; and yet now, after more than a quarter of a century, the

manufacturers of the same articles come and ask a still higher duty, in proportion, than what they then did. Again: another favored article, at that period, was rolled iron—to protect which against the foreign, a duty of $30 per ton was laid on the imported; and now, also, its manufacturers come again, after so great a lapse of time, and ask a duty of $25 per ton; which is an ad valorem duty on the present cost greater than the rate per cent. in 1816—being not less than 100 per cent. He would add another item—that of cotton bagging and bale rope; on which the rate per cent. is much higher, as now proposed by this bill, than under the tariffs of 1824 or 1828; although we had then the same assurance as to it as we have now as to this bill—that it was provisional, and that the home market would soon furnish a cheaper and better article. In fact, the whole bill, taken in connection with the declarations of its advocates—that the manufactures must go down unless these duties are imposed—forms a volume of evidence that the whole effects of all past protection, from 1816 to this day, have been but to require still higher. It is, indeed, in the nature of the system, as he had proved when the vetoed bill was before the Senate, that every duty imposed had but the effect of requiring a still higher. The cry ever has been "more, more, more." The more it has been supported, the more it required to be supported.

Those, then, of our political friends who intend to vote for this bill, deceive themselves, in supposing they are imposing a provisional or temporary burden. It is easy to put on the burden, but it will prove hard to take it off—as we have had ample experience. The exigency under which they, unfortunately, suppose they are compelled to vote for it, will be as great—nay, greater—against repealing or reducing the duties it imposes, hereafter, as it is now to impose them. Instead of being less dependent, the operatives, who live by the bounties it grants, will be more numerous, and more de-

pendent; and, if to refuse to impose these duties now would subject them to starvation, as we are told,—to repeal or reduce them hereafter would more certainly be followed (and that, to a greater extent) by the same effect. He would tell those who were about to take the fatal step, that they were about to do what could not be undone short of the extreme medicine of the constitution; unless the excess to which it is proposed to push the system should bring an empty treasury into the conflict with protection, or the great advance of intelligence should teach the many that the whole scheme, with all its plausible catch-phrases, is but a device of the few to live on the products of their labor.

Such, at least, was his conception; and, he believed he might say that of the many friends around him, and who, with him, are opposed to this bill. And what are the motives which are held out to us to give it our support? We are told by its friends and advocates that its passage would settle the question. They say the country needs repose; and that its business and prosperity cannot be revived till it is attained. That may be admitted. But will the passage of this bill settle the question, and give repose? The very reverse. It will greatly increase the agitation. The principles involved in the controversy are so directly hostile, that the question can never be settled till one or the other shall permanently prevail. There is (and, in the nature of things, there can be) no compromise between those who hold that the power of levying duties was given only for the purpose of raising revenue for the support of the Government, and can constitutionally and honestly be exercised only for that purpose; and those who hold that, in laying duties for the wants of the Government, they may at the same time, be laid for the purpose of taking money from one portion of the community, to give to another. The great struggle between these conflicting principles now is, which shall gain the permanent ascendency. This bill, if it should pass, would, at

least for the present, give it to the side of monopoly, and against the side of equal rights; and if that ascendency become permanent—if its passage should settle the question, as its advocates fondly hope, in vain will be our victories at this and the extra session for popular institutions. The popular party, of which we are members, must go down; and our opponents, with their policy, and the form of government to which it must necessarily lead, will rise permanently in the ascendant. Justice and equality—justice rigidly enforced, and equality between citizen and citizen, State and State, and one portion of the country and another, are essential elements of our system of Governments, and of the party to which we profess to belong; and no system of policy can be admitted, which shall permanently depart from them without fatal consequences to both. Already, if we may judge from the declarations of the Senator from Massachusetts (Mr. Choate), and other advocates of this measure, the protective policy which this bill carries, so far, has made fearful changes for the worse in a large portion of the population of our country. According to their representations, the operatives engaged in manufactures which have been forced into existence by the system, depend for their bread on the passage of this bill. Is such a state of dependence on the movement of this Government consistent with the bold and independent spirit of freemen? Can a population be relied on to watch over and control its movements or resist its encroachments, when, whether they shall live or starve depends on the change of two or three votes in this or the other House—and this, too, depending, perhaps, on no higher consideration than the calculation of political chances? That any portion of our population should be in so low and dependent a condition, excited his commiseration. If such are the blessings of the system,—if it can so humble, in so short a time, the once proud, hardy, and independent yeomanry of New England,—he for one, would infinitely rather

see the portion of the Union where his lot is cast, impoverished by its exactions, but still retaining its erect and independent spirit, than wallowing in all the wealth it can bestow.

The portion of our party who have unfortunately separated from us on this measure, rest their support on different grounds. They plead, in the first place, the condition of the treasury as a justification of their vote. That it is bad; that the demands on it are urgent and great, and its means of meeting them small; that the public credit is prostrated; and that the agent, who has been idly sent abroad to negotiate the loan, has been treated with scorn, was, he apprehended, but too true, and truly to be lamented. But who are responsible? He and the party of which he is a member are not. We had no agency in the measures which have led to the present exhausted condition of the treasury. On the contrary, we have done all in our power to resist it. We saw the danger at the extra session; and raised then, and have continued ever since to raise, our warning voice against it. We opposed the withdrawal from the treasury of the revenue from the land—resisted the creation of the debt; we called on those in power to retrench and economize in time; but all in vain. The last thing they thought of was the ways and means. It was the last at the extra session, as it is now the last at this. He stopped not to inquire whether this strange course was the effect of negligence or design, on the part of those in power—designed to force this, their favorite measure of policy, through; and whether our political friends, who intend to vote for it, on the ground of the exigency of the treasury, are not, without intending it, but consummating that design.

But it may be said that we are bound to relieve the treasury, without inquiring into the fact, by whom, or in what manner its embarrassment was caused. That may be admitted; but surely, when we come to the question of remedy, if there be a difference of opinion, those who are re-

sponsible, who have caused the mischief,—and not those who have warred against it, and opposed the measures that have led to it,—ought to yield. It is going too far on their part, after they have done the mischief, to refuse to remedy it, unless we shall agree to join them in a measure as bad, to say the least, as the disease.

But admit that something should be done, and that speedily, to replenish the treasury, and revive public credit; and that a full share of the responsibility is on us; how does it happen that this imperious necessity should attach to this particular measure, and none other? Why not vote for the measure moved by the Senator from Virginia, to go back to the Compromise Act as it stood in the year 1841,—when six-tenths of the duty above 20 per cent. still remained to come off,—and which would afford a greater revenue to the treasury, and protection varying from 20 to 40 per cent. to the manufacturers? The objection, it seems, was, that it proposed to subject tea and coffee to a moderate amount of duty, and that only till the debt was paid. Without undertaking to deny or affirm whether the objections to taxing those articles are as great as has been alleged, he would venture to say that there were many considerations which make them peculiarly fit subjects for revenue. In the first place, duty imposed on them acted as a bounty to no one. Whatever the people might pay for consuming them, would go exclusively into the treasury, and not into the pockets of monopolists. In the next place, they were objects of general use over the whole country, and by every class, which would make a duty on them fall on all, according to the extent of their consumption; and, finally, they are received in exchange to a great extent, for domestic manufactures, and a duty on them would have the effect of throwing some portion of the burden of supporting the Government on the privileged interest. And yet, with all these considerations in their favor, as fit subjects of taxation, it seems that the

objection to any measure including them is so great, that this odious, unequal, unjust, oppressive, anti-republican, and unconstitutional measure of our opponents, is to be preferred to it, however objectionable the measure including them might be in other respects.

But that was not the only measure proposed as a substitute for this bill. The Senator from Maryland (Mr. Merrick) proposed one to lay 20 per cent. on imports, adding to their cost 25 per cent. for home valuation—a measure that would give much more revenue than this bill; whilst it would leave the Distribution Act undisturbed. And yet, with all their profession of attachment to that act, on the part of the political friends of the mover, and all the anxiety felt for the state of the treasury by the supporters of this bill, it received a very feeble support.

Another, and the last, was moved as a substitute by the Senator from Arkansas (Mr. Sevier), which proposed to impose a duty of 25 per cent. on the foreign cost, with the addition of 10 per cent. for the home valuation, on all articles which paid a duty, before 30th June last, above 20 per cent.—making the duty on them about equal to 27½ per cent., and to leave the duties at or below 20 per cent., as they then stood; which would have yielded more revenue than this bill, and afforded, with the cash duties, a protection of about 33 per cent. on the protected articles. This, too, failed; and that, on an objection to one uniform average ad valorem duty on all articles. There are certainly strong objections, on revenue principles, when the rate of duty is high, to such an average duty; but, when a low rate, it has many and great advantages, and, among others, its simplicity and impartiality, and the strong resistance it opposes to an increase, by enlisting every interest against it. But a conclusive answer will be found to the objection in the fact, that the measure moved by the Senator from Arkansas did not subject all articles to one uniform average ad valorem

duty, as is supposed. On the contrary, it provided for several separate classes—one at 25, another at 20, and others below—which experience would seem to favor as a mode preferable to all others imposing duties. But give to the objection its greatest strength, and how inconsiderable is it, compared to the overwhelming objections to this bill.

I (said Mr. Calhoun) voted for each of these measures —not that I was prepared to adopt them as they were moved—but because I regarded them as intended for revenue and not protection, and believed them to be susceptible of being made the basis of a bill calculated to meet the exigencies of the treasury, and also to extricate the country from existing difficulties, so far as it could be effected by the fiscal action of the Government without the sacrifice of principle; but the manner in which they were received satisfied me that there was no prospect of doing any thing which would accord with my views.

Another reason assigned for voting for this bill was the distressed condition of the manufactures. Admitting it to be true, to the extent alleged, he would ask if the other business of the community was less embarrassed; and if it was just, equal, safe, constitutional, or consistent with sound principles, to relieve them by the sacrifice of the others?

Another, and a final reason remains to be stated,—that it would suspend the Distribution Act. He acknowledged its force. No one more strongly objected to that unconstitutional and dangerous measure than he did, or placed a higher estimate on the importance of expunging it from the statute book; but, bad as the measure is, he was not prepared to say that it was worse than this, or to get rid of it by substituting it in its place. But suppose them to be equally objectionable, there was this difference between them: it would be far easier to extricate ourselves from that than from this. There was no comparison in the extent and the

strength of the interests that would be enlisted in favor of distribution: while the whole of our party are united and zealous against that, the feebler measure, but, unfortunately, divided to a considerable extent, it would seem, in reference to this, the stronger. According to his opinion, the repeal of the Distribution Act by the next Congress, with the whole weight of our party and the Executive Department against it, was as certain almost as any future event; yet he was ready to make considerable sacrifice for immediate riddance from that odious measure, but nothing like as great as voting for this bill.

No one could more sincerely deplore that any portion of our political friends should bring themselves to support a measure to which he was so strongly opposed, and which he sincerely believed to be directly hostile to the principles of the party, and our free and popular institutions. He doubted not but that they had come to a wrong conclusion; but he did hope that they would retain the strong repugnance they express to a measure, which they think themselves, under circumstances, compelled to support, and will rally at an early period, not only in co-operation with the rest of the party, to free the country from its blighting effects, but will take the lead in its overthrow.

SPEECH

On the Treaty of Washington, delivered in the Senate, August 28th, 1842.

Mr. Calhoun said, that his object in rising was not to advocate or oppose the treaty, but simply to state the reasons that would govern him in voting for its ratification. The question, according to his conception, was not whether it

was all we could desire, or whether it was liable to this or that objection ; but whether it was such an one that, under all the circumstances of the case, it would be most advisable to adopt or reject. Thus regarded, it was his intention to state fairly the reasons in favor of and against its ratification ; and to assign to each its proper weight, beginning with the portion relating to the Northeastern boundary, the settlement of which was the immediate and prominent object of the negotiation.

He was one of those who had not the slightest doubt that the boundary for which the State of Maine contended was the true one, as established by the treaty of peace in 1783 ; and had accordingly so recorded his vote, after a deliberate investigation of the subject. But, although such was his opinion, he did not doubt, at the time, that the boundary could only be settled by a compromise line. We had admitted it to be doubtful at an early period during the administration of Washington ; and more recently and explicitly, by stipulating to submit it to the arbitration of a friendly power, by the treaty of Ghent. The doubt, thus admitted on our part to exist, had been greatly strengthened by the award of the King of Holland, who had been mutually selected as the arbiter under the treaty. So strong, indeed was his (Mr. C.'s) impression that the dispute could only be settled by a compromise or conventional line, that he said to a friend in the then Cabinet (when an appropriation was made a few years since for a special mission to England on the subject of the boundary, and his name, among others, was mentioned for the place), that the question could only be settled by compromise ; and for this purpose, some distinguished citizen of the section ought to be selected ; and neither he, nor any other Southern man, ought to be thought of. With these previous impressions, he was prepared, when the negotiation opened, to expect if it succeeded in adjusting the difficulty, it would be (as it has been)

on a compromise line. Notwithstanding, when it was first announced that the line agreed on included a considerable portion of the territory lying to the west of the line awarded by the King of Holland, he was incredulous, and expressed himself strongly against it. His first impression was, perhaps, the more strongly against it, from the fact that he had fixed on the river St. John, from the mouth of Eel River, taking the St. Francis branch (the one selected by the King of Holland) as the natural and proper compromise boundary, including in our limits all the portion of the disputed territory lying north of Eel River, and west and south of the St. John, above its junction; and all the other within that of Great Britain. On a little reflection, however, he resolved not to form his opinion of the merits or demerits of the treaty on rumor or imperfect information; but to wait until the whole subject was brought before the Senate officially, and then to make it up on full knowledge of all the facts and circumstances, after deliberate and mature reflection; and this he had done with the utmost care and impartiality. What he now proposes was, to give the result, with the reasons on which it rests, and which would govern his vote on the ratification.

He still believed that the boundary which he had fixed in his own mind was the natural and proper one; but as that could not be obtained, the question for them to decide was —Are the objections to the boundary as actually agreed on, and the stipulations connected with it, such as ought to cause its rejection? In deciding it, it must be borne in mind that as far as this portion of the boundary is concerned, it is a question belonging much more to the State of Maine than to the Union. It is, in truth, but the boundary of that State; and it makes a part of the boundary of the United States, only by being the exterior boundary of one of the States of our Federal Union. It is her sovereignty and soil that are in dispute, except the portion of the latter that still

remains in Massachusetts; and it belongs in the first place to her, and to Massachusetts, as far as her right of soil is involved, to say what their rights and interests are, and what is required to be done. The rest of the Union is bound to defend them in their just claim; and to assent to what they may be willing to assent, in settling the claim in contest, if there should be nothing in it inconsistent with the interest, honor, or safety of the rest of the Union. It is thus the controversy has ever been regarded. It is well known that President Jackson would readily have agreed to the award of the King of Holland, had not Maine objected; and that to overcome her objection, he was prepared to recommend to Congress to give her, in order to get her consent, one million of acres of the public domain, worth, at the minimum price, a million and a quarter of dollars. The case is now reversed. Maine and Massachusetts have both assented to the stipulations of the treaty, as far as the question of the boundary affects their peculiar interest, through commissioners vested with full powers to represent them; and the question for us to decide is—Shall we reject that to which they have assented? Shall the Government, after refusing to agree to the award of the King of Holland, because Maine objected, now reverse its course, and refuse to agree to that which she and Massachusetts have both assented to? There may, indeed, be reasons strong enough to authorize such a course; but they must be such as will go to prove that we cannot give our assent consistently with the interests, the honor, or the safety of the Union. These have not been assigned, and, he would add, if there be any such, he has not been able to detect them.

It has, indeed, been said that the assent of Maine was coerced. She certainly desired to obtain a more favorable boundary; but when the alternative was presented of another reference to arbitration, she waived her objection, as far as she was individually concerned, rather than incur the

risk, delay, uncertainty and vexation of another submission of her claims to arbitration; and left it to the Senate, the constituted authority appointed for the purpose, to decide on the general merits of the treaty, as it relates to the whole Union. In so doing, she has, in his opinion, acted wisely and patriotically—wisely for herself, and patriotically in reference to the rest of the Union. She has not got, indeed, all she desired; and has even lost territory, if the treaty be compared with the award of the King of Holland; but, as an offset, that which she has lost is of little value, while that which she retains has been greatly increased in value by the stipulations contained in the treaty. The whole amount lost, is about half a million of acres. It lies along the eastern slope of the highlands, skirting the St. Lawrence to the east, and is acknowledged to be of little value for soil, timber, or any thing else—a sterile region, in a severe, inhospitable clime. Against this loss, she has acquired the right to navigate the river St. John; and that, not only to float down the timber on its banks, but all the productions of the extensive, well-timbered, and, taken as a whole, not a sterile portion of the State that lies on her side of the basin of that river and its tributaries. But this is not all. She also gains what is vastly more valuable—the right to ship them on the same terms as colonial productions to Great Britain and her colonial possessions.

These great and important advantages will probably double the value of that extensive region, and make it one of the most populous and flourishing portions of the State. Estimated by a mere moneyed standard, these advantages are worth, he would suppose, all the rest of the territory claimed by Maine without them. If to this be added the sum of about $200,000 to be paid her for the expenses of defending her territory, and $300,000 to her and Massachusetts in equal moieties, in consequence of their assent to the boundary and the equivalents received, it must be apparent

that Maine has not made a bad exchange in accepting the treaty, as compared with the award, as far as her separate interest is concerned. But be this as it may, she is the rightful judge of her own interests; and her assent is a sufficient ground for our assent, provided that to which she has assented does not involve too great a sacrifice, on the part of the rest of the Union, of their honor or safety. So far from this, as far as the rest of the Union is concerned, the sacrifice is small and the gain great. They are under solemn constitutional obligations to defend Maine, as one of the members of the Union, against invasion, and to protect her territory, cost what it may, at every hazard. The power, claiming what she contended to be hers, is one of the greatest, if not the greatest on earth; the dispute is of long standing, and of a character difficult to be adjusted; and, however clear the right of Maine may be regarded in the abstract, it has been made doubtful, in consequence of admissions, for which the Government of the Union is responsible. To terminate such a controversy, with the assent of the party immediately interested, by paying the small sum of half a million,—of which a large part (say $200,000) is unquestionably due to Maine, and would have to be paid to her without the treaty,—is indeed a small sacrifice, a fortunate deliverance. President Jackson was willing to allow her, as has been stated, more than twice as much for her assent to the award; and in doing so, he showed his wisdom, whatever might have been thought of it at the time. Those, at least, who opposed the treaty, will not charge him with being willing to sacrifice the interest and honor of the Union in making the offer; and yet the charge which they make against this portion of the treaty does, by implication, subject what he was ready to do to a similar one.

But it is said that the territory which England would acquire beyond the boundary of the awarded line, would greatly strengthen her frontier, and weaken ours; and would there-

by endanger the safety of the country in that quarter. He did not profess to be deeply versed in military science; but, according to his conception, there was no foundation for the objection. It was, if he did not mistake, the very last point on our whole frontier, from the mouth of the St. Croix to the outlet of Lake Superior, on which an expedition would be organized on either side to attack the possessions of the other. In a military point of view, our loss is as nothing in that quarter; while in another, and a much more important quarter, our gain by the treaty is great, in the same point of view. He referred to that provision by which we acquire Rouse's Point, at the northern extremity of Lake Champlain. It is among the most important military positions on the whole line of our eastern and northern frontier,—whether it be regarded in reference to offensive or defensive operations. He well remembered the deep sensation caused among military men in consequence of its loss; and he would leave the question of loss or gain, in a military point of view (taking the two together), to their decision, without the least doubt what it would be.

But if it should be thought by any one that these considerations, as conclusive as they seemed to be, were not sufficient to justify the ratification of this portion of the treaty, there were others, which appeared to him to be perfectly conclusive. He referred to the condition in which we would be left, if the treaty should be rejected. He would ask—if, after having agreed at Ghent to refer the subject to arbitration, and, after having refused to agree to the award made under that reference, by an arbitrator of our own selection, we should now reject this treaty, negotiated by our own Secretary of State, under our own eyes, and which had previously received the assent of the States immediately interested—whether there would be the slightest prospect that another equally favorable would ever be obtained. On the contrary, would we not stand in a far worse condition than

ever, in reference to our claim? Would it not, indeed, be almost certain that we should lose the whole of the basin of the St. John, and Great Britain gain all for which she ever contended, strengthened as she would be by the disclosures made during this discussion? * He was far from asserting

* [The following extract from the speech of Mr. Rives, the Chairman of the Committee on Foreign Relations, will show what the disclosures were :—

It appears to the committee, therefore, in looking back to the public and solemn acts of the Government, and of successive administrations, that the time has passed, if it ever existed, when we could be justified in making the precise line of boundary claimed by us the subject of a *sine qua non* of negotiation, or of the *ultima ratio*—of an assertion by force. Did a second arbitration, then, afford the prospect of a more satisfactory result? This expedient seemed to be equally rejected by all parties—by the United States, by Great Britain, and by the State of Maine. If such an alternative should be contemplated by any one as preferable to the arrangement which had been made, it is fit to bear in mind the *risk and uncertainty*, as well as the inevitable delay and expense, incident to that mode of decision. We have already seen, in the instance of the arbitration by the King of the Netherlands, how much weight a tribunal of that sort is inclined to give to the argument of *convenience*, and a supposed *intention* on the part of the negotiators of the treaty of 1773, against the literal and positive terms employed by the instrument in its description of limits. Is there no danger, in the event of another arbitration, that a farther research into the public archives of Europe might bring to light some embarrassing (even though apocryphal) document, to throw a new shade of plausible doubt on the clearness of our title, in the view of a sovereign arbiter? Such a document has already been communicated to the committee; and I feel it (said Mr. R.) to be my duty to lay it before the Senate, that they may fully appreciate its bearings, and determine for themselves the weight and importance which belong to it. It is due to the learned and distinguished gentleman (Mr. Jared Sparks, of Boston), by whom the document referred to was discovered in the archives of France, while pursuing his laborious and intelligent researches connected with the history of our own country, that the account of it should be given in his own words, as contained in a communication addressed by him to the Department of State. I proceed, therefore, to read from that communication :—

that the facts disclosed established the claim of Great Britain, or that the map exhibited is the one to which Franklin referred, in his note to the Count de Vergennes,

"While pursuing my researches among the voluminous papers relating to the American Revolution in the *Archives des Affaires Etrangères*, in Paris, I found in one of the bound volumes an original letter from Dr. Franklin to Count de Vergennes, of which the following is an exact transcript:—

"PASSY, *December* 6, 1782.

"SIR: I have the honor of returning herewith the map your Excellency sent me yesterday. I have marked with a strong red line, according to your desire, the limits of the United States, as settled in the preliminaries between the British and American plenipotentiaries.

"With great respect, I am, &c.,

"B. FRANKLIN."

"This letter was written six days after the preliminaries were signed; and if we could procure the identical map mentioned by Franklin, it would seem to afford conclusive evidence as to the meaning affixed by the commissioners to the language of the treaty on the subject of the boundaries. You may well suppose that I lost no time in making inquiry for the map, not doubting that it would confirm all my previous opinions respecting the validity of our claim. In the geographical department of the Archives are sixty thousand maps and charts; but so well arranged with catalogues and indexes, that any one of them may be easily found. After a little research in the American division, with the aid of the keeper, I came upon a map of North America, by D'Anville, dated 1746, in size about eighteen inches square, on which was drawn a *strong red line* throughout the entire boundary of the United States, answering precisely to Franklin's description. The line is bold and distinct in every part, made with red ink, and apparently drawn with a hair pencil, or a pen with a blunt point. There is no other coloring on any part of the map.

"Imagine my surprise on discovering that this line runs wholly south of the St. John, and between the head waters of that river and those of the Penobscot and Kennebec. In short, it is exactly the line now contended for by Great Britain, except that it concedes more than is claimed. The north line, after departing from the source of the St. Croix, instead of proceeding to Mars Hill, stops far short of that point, and turns off to the west, so as to leave on the British side all the streams which flow into the St. John, between the source of the St. Croix and Mars Hill. It is evident that the line, from the St. Croix to the Canadian highlands, is intended to exclude *all the waters* running into the St. John.

the French Minister; but it cannot be doubted that the conformity of the line delineated on the map with the one described in his note, would have the effect of strengthening

"There is no positive proof that this map is actually the one marked by Franklin; yet, upon any other supposition, it would be difficult to explain the circumstances of its agreeing so perfectly with his description, and of its being preserved in the place where it would naturally be deposited by Count de Vergennes. I also found another map in the Archives, on which the same boundary was traced in a dotted red line with a pen, apparently copied from the other.

"I inclose herewith a map of Maine, on which I have drawn a strong black line, corresponding with the red one above mentioned."

I am far from intimating (said Mr. Rives) that the documents discovered by Mr. Sparks, curious and well worthy of consideration as they undoubtedly are, are of weight sufficient to shake the title of the United States, founded on the positive language of the treaty of peace. But they could not fail, in the event of another reference, to give increased confidence and emphasis to the pretensions of Great Britain, and to exert a corresponding influence upon the mind of the arbiter. It is worth while in this connection, to turn to what Lord Ashburton has said, in one of his communications to Mr. Webster, when explaining his views of the position of the highlands described in the treaty:—

"My inspection of the maps, and my examination of the documents," says his Lordship, "lead me to a very strong conviction that the highlands contemplated by the negotiators of the treaty were the only highlands then known to them—*at the head of the Penobscot, Kennebec, and the rivers west of the St. Croix;* and that they did not precisely know how the north line from the St. Croix would strike them; and if it were not my wish to shorten this discussion, I believe a very good argument might be drawn from the words of the treaty in proof of this. In the negotiations with Mr. Livingston, and afterwards with Mr. McLane, this view seemed to prevail; and, as you are aware, there were proposals to search for these highlands to the west, where alone, I believe, they will be found to answer perfectly the description of the treaty. *If this question should unfortunately go to a further reference, I should by no means despair of finding some confirmation of this view of the case.*"

It is for the Senate to consider (added Mr. Rives) whether there would not be much risk of introducing new complications and embarrassments in this controversy, by leaving it open for another litigated reference; and

not a little the claims of Great Britain in her own estimation and that of the world. But the facts stated, and the map exhibited by the Chairman of the Committee on Foreign Relations (Mr. Rives), are not the only or the strongest disclosures made during the discussion. The French map, introduced by the Senator from Missouri (Mr. Benton), from Mr. Jefferson's collection in the Congress library, in order to rebut the inference from the former, turned out to be still more so. This was made in the village of Passy, in the year after the treaty of peace was negotiated, where Franklin (who was one of the negotiators) resided, and was dedicated to him; and this has the boundary line drawn in exact conformity to the other, and in the manner described in the

if the British Government—strongly prepossessed, as its minister tells us it is, with the justice of its claims—would not find what it would naturally consider a persuasive "confirmation of its view of the case" in documents such as those encountered by Mr. Sparks in his historical researches in the archives of France.

A map has been vauntingly paraded here, from Mr. Jefferson's collection, in the zeal of opposition (without taking time to see what it was), to confront and invalidate the map found by Mr. Sparks in the Foreign Office at Paris; but, the moment it is examined, it is found to sustain, by the most precise and remarkable correspondence in every feature, the map communicated by Mr. Sparks. The Senator who produced it, could see nothing but the microscopic dotted line running off in a northeasterly direction; but the moment other eyes were applied to it, there was found, in bold relief, a strong red line, indicating the limits of the United States, according to the treaty of peace, and coinciding, minutely and exactly, with the boundary traced on the map of Mr. Sparks. That this red line, and not the hardly visible dotted line, was intended to represent the limits of the United States according to the treaty of peace, is conclusively shown by the circumstance that the red line is drawn on the map all around the exterior boundary of the United States; through the middle of the Northern Lakes, thence through the Long Lake and the Rainy Lake to the Lake of the Woods; and from the western extremity of the Lake of the Woods to the River Mississippi; and along that river, to the point where the boundary of the United States, according to the treaty of peace, leaves it; and thence, by its easterly course, to the mouth of the St. Mary's, on the Atlantic.

note of Dr. Franklin—a line somewhat more adverse to us than that claimed by Great Britain. But, striking as is this coincidence, he was far from regarding it as sufficient to establish the claim of Great Britain. It would, however, be in vain to deny that it was a corroborating circumstance, calculated to add no small weight to her claim.

It would be still further increased by the fact that France was our ally at the time, and, as such, must have been consulted and kept constantly advised of all that occurred during the progress of the negotiation, including its final result. It would be idle to suppose that these disclosures would not weigh heavily against us in any future negotiation. They would, so much so—taken in connection with the adverse award of the King of Holland, and this treaty, should it be rejected—as to render hopeless any future attempt to settle the question by negotiation or arbitration. No alternative would be left us but to yield to the full extent of the British claim, or to put Maine in possession by force,—and that, too, with the opinion and sympathy of the world against us and our cause. In his opinion, we would be bound to attempt it, in justice to Maine, should we refuse to agree to what she has assented. So much for the boundary question, as far as Maine is concerned.

Having now shown—satisfactorily, he hoped—that Maine has acted wisely for herself in assenting to the treaty, it remained to be considered whether we, the representatives of the Union on such questions, would not also do so in ratifying it, as far at least as the boundary question is involved. He would add nothing to what had already been said of the portion in which Maine was immediately interested. His remarks would be confined to the remaining portion of the boundary, extending from the northwestern corner of that State to the Rocky Mountains.

Throughout this long-extended line, every question has been settled to our satisfaction. Our right has been acknowl-

edged to a territory of about one hundred thousand acres of land in New Hampshire, which would have been lost by the award of the King of Holland. A long gore of about the same amount, lying in Vermont and New-York, and which was lost under the treaty of Ghent, would be regained by this. It includes Rouse's Point. Sugar Island, lying in the water connection between Lakes Huron and Superior, and heretofore in dispute, is acknowledged to be ours; it is large, and valuable for soil and position. So also is Isle Royale, near the northern shore of Lake Superior, acknowledged to be ours—a large island, and valuable for its fisheries. And also, a large tract of country to the north and west of that lake, between Fond du Lac and the River St. Louis on one side, and Pigeon River on the other—containing four millions of acres. It is said to be sterile, but cannot well be more so than that acquired by Great Britain, lying west of the boundary awarded by the King of Holland. In addition, all the islands in the River St. Lawrence and the lakes, which were divided in running out the division line under previous treaties, are acquired by us under this; and all the channels and passages are opened to the common uses of our citizens and the subjects of Great Britain.

Such are the provisions of the treaty in reference to this long line of boundary. Our gain—regarded in the most contracted point of view, as mere equivalents for the sum assumed to be paid by us to Maine and Massachusetts for their assent to the treaty—is vastly greater than what we have contracted to pay. Taking the whole boundary question together, and summing up the loss and gain of the whole, including what affects Maine and Massachusetts, and he could not doubt that, regarded merely as set-offs, our gain greatly exceeds our loss—vastly so, compared to what it would have been under the award of the King of Holland, —including the equivalent which our Government was willing to allow Maine for her assent. But it would be, indeed,

to take a very contracted view to regard it in that light. It would be to overlook the vast importance of permanently establishing, between two such powers, a line of boundary of several thousand miles, abounding in disputed points of much difficulty and long standing. The treaty, he trusted, would do much to lay the foundation of a solid peace between the countries—a thing so much to be desired.

It is certainly much to be regretted, after settling so large a portion of the boundary, that the part beyond the Rocky Mountains should remain unadjusted. Its settlement would have contributed much to strengthen the foundation of a durable peace. But would it be wise to reject the treaty, because all has not been done that could be desired? He placed a high value on our territory on the west of those mountains, and held our title to it to be clear; but he would regard it as an act of consummate folly, to stake our claim on a trial of strength at this time. The territory is now held by joint occupancy, under the treaty of Ghent, which either party may terminate by giving to the other six months' notice. If we were to attempt to assert our exclusive right of occupancy at present, the certain loss of the territory must be the result; for the plain reason that Great Britain could concentrate there a much larger force, naval and military, in a much shorter time, and at far less expense, than we could. This will not be denied; but it will not be always the case. Our population is steadily—he might say rapidly—advancing across the continent, to the borders of the Pacific Ocean. Judging from past experience, the tide of population will sweep across the Rocky Mountains, with resistless force, at no distant period; when what we claim will quietly fall into our hands, without expense or bloodshed. Time is acting for us. Wait patiently, and all we claim will be ours; but if we attempt to seize it by force, it will be sure to elude our grasp.

Having now stated his reasons for voting to ratify the

articles in the treaty relating to the boundary, he would next proceed to assign those that would govern his vote on the two relating to the African slave trade. And here he would premise, that there are several circumstances, which caused no small repugnance on his part to any stipulations whatever with Great Britain on the subject of those articles; and he would add, that he would have been gratified if they, and all other stipulations on the subject, could have been entirely omitted; but he must, at the same time, say, he did not see how it was possible to avoid entering into some arrangement on the subject. To understand the difficulty, it will be necessary to advert to the course heretofore taken by our Government in reference to the subject, and the circumstances under which the negotiations that resulted in this treaty had commenced.

Congress at an early day—as soon, in fact, as it could legislate on the subject, under the constitution—passed laws enacting severe penalties against the African slave trade. This was followed by the treaty of Ghent, which declared it to be irreconcilable with the principles of humanity and justice, and stipulated that both of the parties—the United States and Great Britain—should use their best endeavors to effect its abolition. Shortly after, an act of Congress was passed declaring it to be piracy; and a resolution was adopted by Congress, requesting the President to enter into arrangements with other powers for its suppression. Great Britain, actuated by the same feelings, succeeded in making treaties with the European maritime powers for its suppression; and, not long before the commencement of this negotiation, had entered into joint stipulations with the five great powers to back her on the question of search. She had thus acquired a general supervision of the trade along the African coast; so that vessels carrying the flag of every other country, except ours, were subject on that coast to the inspection of her cruisers, and to be cap-

tured, if suspected of being engaged in the slave trade. In consequence, ours became almost the only flag used by those engaged in the trade, whether our people or foreigners; although our laws inhibited the traffic under the severest penalties. In this state of things, Great Britain put forward the claim of the right of search as indispensable to suppress a trade prohibited by the laws of the civilized world, and to the execution of the laws and treaties of the nations associated with her by mutual engagements for its suppression. At this stage, a correspondence took place between our late minister at the Court of St. James and Lord Palmerston on the subject, in which the latter openly and boldly claimed the right of search, and which was promptly and decidedly repelled on our side. We had long since taken our stand against it, and had resisted its abuse, as a belligerent right, at the mouth of the cannon. Neither honor nor policy on our part could tolerate its exercise in time of peace, in any form—whether in that of search, as claimed by Lord Palmerston, or the less offensive and unreasonable one of visitation, as proposed by his successor, Lord Aberdeen. And yet we were placed in such circumstances as to require that something should be done. It was in such a state of things that the negotiation commenced—and commenced, in part, in reference to this subject, which was tending rapidly to bring the two countries into collision. On our side, we were deeply committed against the traffic, both by legislation and treaty. The influence and the efforts of the civilized world were directed against it—and that, too, under our lead at the commencement; and with such success as to compel vessels engaged in it to take shelter, almost exclusively, under the fraudulent use of our flag. To permit such a state of things to continue, could not but deeply impeach our honor, and turn the sympathy of the world against us. On the other side, Great Britain had acquired, by treaties, the right of supervision,

including that of search and capturing, over the trade on the coast of Africa, with the view to its suppression, from all the maritime powers except ourselves. Thus situated, he must say that he saw no alternative for us but the one adopted—to take the supervision of our own trade on that coast into our own hands, and to prevent, by our own cruisers, the fraudulent use of our flag. The only question, in the actual state of things, as it appeared to him, was, whether it should be done by a formal or informal arrangement? He would have preferred the latter; but the difference between them was not, in his opinion, such as would justify, on that account, the rejection of the treaty. They would, in substance be the same, and will differ but little, probably, in the expense of execution. Either was better than the other alternatives—to do nothing; to leave things in the dangerous state in which they stood; or to yield to the right of search or visitation.

It is objected that the arrangement entered into is virtually an acknowledgment of the right of search. He did not so regard it. On the contrary, he considered it, under all the circumstances, as a surrender of that claim on the part of Great Britain; a conclusion, which a review of the whole transaction, in his opinion, would justify. Lord Palmerston, in the first place, claimed the unqualified right of search, in which it is understood he was backed by the five great powers. Lord Aberdeen, with more wisdom and moderation, explained it to mean the right of visitation simply; and, finally, the negotiation is closed without reference to either, simply with a stipulation between the parties to keep up for five years a squadron of not less than eighty guns on the coast of Africa, to enforce, separately and respectively, the laws and obligations of each of the countries for the suppression of the slave trade. It is carefully worded, to make it mutual, but at the same time separate and independent: each looking to the execution of its own laws and

obligations, and carefully excluding the supervision of either over the other, and thereby directly rebutting the object of search or visitation.

The other article, in reference to the same subject, stipulates that the parties will unite in all becoming representation and remonstrance, with any powers, within whose dominions markets are permitted for imported African slaves. If he were to permit his feelings to govern him exclusively, he would object to this more strongly than any other provision in the treaty,—not that he was opposed to the object or the policy of closing the market to imported negroes; on the contrary, he thought it both right and expedient in every view. Brazil and the Spanish colonies were the only markets, he believed, still remaining open, and to which this provision would apply. They were already abundantly supplied with slaves, and he had no doubt that sound policy on their part required that their markets should be finally and effectually closed. He would go further, and say that it was our interest they should be. It would free us from the necessity of keeping cruisers on the African coast, to prevent the illegal and fraudulent use of our flag, or for any other purpose but to protect our commerce in that quarter —a thing of itself much to be desired. We would have a still stronger interest, if we were governed by selfish considerations. We are rivals in the production of several articles, and more especially the greatest of all the agricultural staples—cotton. Next to our own country, Brazil possesses the greatest advantages for its production, and is already a large grower of the article; towards the production of which, the continuance of the market for imported slaves from Africa would contribute much. But he would not permit such considerations to influence him in voting on the treaty. He had no objection to see Brazil develope her resources to the full; but he did believe that higher considerations, connected with her safety, and that of the

Spanish colonies, made it their interest that their market should be closed against the traffic.

But it may be asked, why, with these impressions, should he have any objection to this provision of the treaty? It was, because he was averse to interfering with other powers, when it could be avoided. It extends even to cases like the present, where there was a common interest in reference to the subject of advice or remonstrance; but it would be carrying his aversion to fastidiousness, were he to permit it to overule his vote in the adjustment of questions of such magnitude as are involved on the present occasion.

But the treaty is opposed, not only for what it contains, but also for what it does not; and, among other objections of the kind, because it has no provision in reference to the case of the Creole, and other similar ones. He admitted that it is an objection; and that it was very desirable that the treaty should have guarded, by specific and efficient provisions, against the recurrence of such outrages on the rights of our citizens, and indignity to our honor and independence. If any one has a right to speak warmly on the subject, he was the individual; but he could not forget that the question for us to decide is, Shall we ratify or reject the treaty? It is not whether all has been done which it was desirable should be done, but whether we shall confirm or reject what has actually been done;—not whether we have gained all we could desire, but whether we shall retain what we have gained. To decide this as it ought to be, it is our duty to weigh, calmly and fairly, the reasons for and against the ratification, and to decide in favor of the side which preponderates.

It does not follow that nothing has been done in relation to the cases under consideration, because the treaty contains no provisions in reference to them. The fact is otherwise. Much, very much, has been done;—in his opinion, little short, in its effect, of a positive stipulation by the treaty to

guard against the recurrence of such cases hereafter. To understand how much has been done, and what has been gained by us, it is necessary to have a correct conception of the state of the case in reference to them, before the negotiation commenced, and since it terminated.

These cases are not of recent origin. The first of the kind was that of the brig Comet, which was stranded on the false keys of the Bahamas, as far back as 1830, with slaves on board. She was taken into Nassau, New Providence, by the wreckers, and the slaves liberated by the colonial authorities. The next was the Encomium, which occurred in 1834, and which, in all the material circumstances, was every way similar to that of the Comet. The case of the Enterprise followed. It took place in 1835, and differed in no material circumstance from the others, as was acknowledged by the British Government, except that it occurred after the act of parliament abolishing slavery in the colonies had gone into operation, and the others prior to that period.

After a long correspondence of nearly ten years, the British Government agreed to pay for the slaves on board of the two first, on the ground that they were liberated before the act abolishing slavery had gone into operation; but refused to pay for those belonging to the Enterprise, because they were liberated after it had. To justify this distinction, Lord Palmerston had to assume the ground, virtually, that the law of nations was opposed to slavery—an assumption that placed the property of a third of the Union without the pale of its protection. On this ground, he peremptorily refused compensation for the slaves on board the Enterprise. Our Executive, under this refusal, accepted the compensation for those on board the Comet and Encomium, and closed the correspondence, without even bringing the subject before Congress. With such perfect indifference was the whole affair treated, that, during the long period the negotiation was pending, the subject was never once mentioned,

as far as he recollected, in any Executive message; while those of far less magnitude—the debt of a few millions due from France, and this very boundary question—were constantly brought before Congress, and had nearly involved the country in war with two of the leading powers of Europe. Those who are now so shocked that the boundary question should be settled, without a settlement also of this, stood by in silence, year after year, during this long period, not only without attempting to unite the settlement of this with that of the boundary, but without ever once naming or alluding to it as an item in the list of the dispute between the two powers. It was regarded as beneath notice. He rejoiced to witness the great change which has taken place in relation to it; and to find that those who were then silent and indifferent, now exhibit so much zeal and vehemence about it. He took credit to himself for having contributed to bring this change about. It was he who revived our claim when it lay dead and buried among the archives of the State Department—who called for the correspondence—who moved resolutions affirming the principles of the law of nations in reference to these cases, and repelling the presumptuous and insulting assumption on which it was denied by the British negotiator. Such was the force of truth, and so solid the foundation on which he rested our claim, that his resolutions received the unanimous vote of this body; but he received no support—no, not a cheering word—from the quarter which now professes so much zeal on the subject. His utmost hope at the time was to keep alive our right, till some propitious moment should arrive to assert it successfully. In the mean time, the case of the Creole occurred, which, as shocking and outrageous as it is, was but the legitimate consequence of the principle maintained by Lord Palmerston, and on which he closed the correspondence in the case of the Enterprise.

Such was the state of the facts when the negotiations

commenced in reference to these cases; and it remains now to be shown in what state it has left them. In the first place, the broad principles of the law of nations, on which he placed our right in his resolutions, have been clearly stated and conclusively vindicated in the very able letter of the Secretary of State, which has strengthened our cause not a little, as well from its intrinsic merit as the quarter from which it comes. In the next place, we have an explicit recognition of the principles for which we contend, in the answer of Lord Ashburton, who expressly says, that "on the great general principles affecting this case" (the Creole) "they do not differ;" and that is followed by "an engagement that instructions shall be given to the governors of Her Majesty's colonies on the southern borders of the United States, to execute their own laws with careful attention to the wishes of their Government to maintain good neighborhood; and that there shall be no officious interference with American vessels driven by accident or violence into their ports. The laws and duties of hospitality shall be executed." This pledge was accepted by our Executive, accompanied by the express declaration of the President, through the Secretary of State, that he places his reliance on those principles of public law which had been stated in the note of the Secretary of State. To all this it may be added, that strong assurances are given by the British negotiator, of his belief that a final arrangement may be made of the subject by positive stipulations in London. Such is the state in which the negotiation has left the subject.

Here again he would repeat, that such stipulations in the treaty itself would have been preferable. But who can deny, when he compares the state of the facts, as they stood before and since the close of this negotiation, that we have gained—largely gained—in reference to this important subject? Is there no difference, he would ask, between a stern and peremptory denial of our right, on the broad and the

insulting ground assumed by Lord Palmerston, and its explicit recognition by Lord Ashburton?—none in the pledge that instructions should be given to guard against the recurrence of such cases, and a positive denial that we had suffered no wrong or insult, nor had any right to complain?—none between a final closing of all negotiation, and a strong assurance of a final adjustment of the subject by satisfactory arrangement by treaty? And would it be wise or prudent on our part to reject what has been gained, because all has not been? As to himself, he must say that, at the time he moved his resolutions, he little hoped, in the short space of two years, to obtain what has already been gained; and that he regarded the prospect of a final and satisfactory adjustment, at no distant day, of this subject, so vital in its principles to his constituents and the whole South, as far more probable than he then did this explicit recognition of the principles for which he contended. In the mean time he felt assured the engagement given by the British negotiator would be fulfilled in good faith; and that the hazard of collision between the countries, and the disturbance of their peace and friendship, has passed away, as far as it depends on this dangerous subject. But if in this he should unfortunately be mistaken, we should stand on much more solid ground in defence of our rights, in consequence of what has been gained; as there would then be superadded broken faith to the violation of the laws of nations.

Having now said what he intended on the more important points, he would pass over, without dwelling on the provision of the treaty for delivering up to justice persons charged with certain crimes; the affair of the Caroline; and the correspondence in reference to impressment. The first is substantially the same as that contained in Jay's treaty on the same subject. On the next, he had nothing to add to what had already been said. As to the last, he did not doubt that the strong ground taken in the correspondence against

the impressment of seamen on board of our merchant vessels, in time of war, would have a good effect. It will contribute to convince Great Britain that the practice cannot be renewed, in the event of another European war, without a certain and immediate conflict between the two countries.

I (said Mr. Calhoun) have now stated my opinion fully and impartially on the treaty with the connected subjects. On reviewing the whole, and weighing the reasons for and against its ratification, I cannot doubt that the former greatly preponderate. If we have not gained all that could be desired, we have gained much that is desirable; and, if all has not been settled, much has been—and that not of little importance. It is not of little importance to have the North-eastern boundary settled—and this, too, with the consent of the States immediately interested; a subject which has been in dispute almost from the origin of the Government, and which had become more and more entangled, and adverse to our claim, on every attempt heretofore made to settle it. Nor is it of little importance to have the whole line of boundary between us and the British dominions, from the source of the St. Croix to the Rocky Mountains, settled—a line of more than three thousand miles, with many disputed points of long standing, the settlement of which had baffled all previous attempts. Nor is it of little importance to have adjusted the embarrassments relating to the African slave trade, by adopting the least objectionable of the alternatives. Nor to have the principles of the law of nations for which we contended, in reference to the Creole and other cases of the kind, recognized by Great Britain; nor to have a solemn pledge against their recurrence, with a reasonable assurance of satisfactory stipulations by treaty. Nor is it of little importance to have, by the settlement of these inveterate and difficult questions, the relation of the two countries settled down in amity and peace,—permanent amity and peace, as it may be hoped,—in the place of that doubtful, unsettled con-

dition, between peace and war, which has for so many years characterized it, and which is so hostile to the interests and prosperity of both countries.

Peace (said Mr. C.) is the first of our wants, in the present condition of our country. We want peace, to reform our own Government, and to relieve the country from its great embarrassments. Our Government is deeply disordered; its credit is impaired; its debt increasing; its expenditures extravagant and wasteful; its disbursements without efficient accountability; and its taxes (for duties are but taxes) enormous, unequal, and oppressive to the great producing classes of the country. Peace settled and undisturbed, is indispensable to a thorough reform, and such a reform to the duration of the Government. But, so long as the relation between the two countries continues in a state of doubt between peace and war, all attempts at such reform will prove abortive. The first step in any such, to be successful, must be to reduce the expenditures to the legitimate and economical wants of the Government. Without that, there can be nothing worthy of the name; but in an unsettled state of the relations of the two countries, all attempts at reduction will be baffled by the cry of war accompanied by insinuations against the patriotism of those who may be so hardy as to make them. Should the treaty be ratified, an end will be put to this, and no excuse or pretext be left to delay the great and indispensable work of reform. This may not be desirable to those who see, or fancy they see, benefits in high duties and wasteful expenditures; but, by the great producing and tax-paying portions of the community, it will be regarded as one of the greatest of blessings. These are not the only reasons for wanting peace. We want it, to enable the people and the States to extricate themselves from their embarrassments. They are both borne down by heavy debts, contracted in a period of fallacious prosperity, from which there is no other honest and honorable extrication but the

payment of what is due. To enable both States and individuals to pay their debts, they must be left in full possession of all their means, with as few exactions or restrictions on their industry as possible on the part of this Government. To this, a settled state of peace and an open and free commerce are indispensable. With these, and the increasing habits of economy and industry now every where pervading the country, the period of embarrassment will soon pass away, to be succeeded by one of permanent and healthy prosperity.

Peace is, indeed, our policy. A kind Providence has cast our lot on a portion of the globe sufficiently vast to satisfy the most grasping ambition, and abounding in resources beyond all others, which only require to be fully developed to make us the greatest and most prosperous people on earth. To the full development of the vast resources of our country, we have political institutions most happily adapted. Indeed, it would be difficult to imagine a system more so than our Federal Republic—a system of State and General Governments, so blended as to constitute one sublime whole; the latter having charge of the interests common to all, and the former those local and peculiar to each State. With a system so happily constituted, let a durable and firm peace be established, and this Government be confined rigidly to the few great objects for which it was instituted; leaving the States to contend in generous rivalry, to develope, by the arts of peace, their respective resources; and a scene of prosperity and happiness would follow, heretofore unequalled on the globe. I trust (said Mr. C.) that this treaty may prove the first step towards such a peace. Once established with Great Britain, it would not be difficult, with moderation and prudence, to establish permanent peace with the rest of the world, when our most sanguine hopes of prosperity may be realized.

SPEECH

Speech on the Oregon Bill, delivered in the Senate, January 24th, 1843.

MR. CALHOUN said it ought to be borne in mind, in the discussion of this measure, that there is a conflict between our claim and that of Great Britain to the Oregon territory; and that it extends to the whole territory from the Rocky Mountains to the Pacific Ocean, and from the northern limits of Mexico, in latitude 42°, to the southern limits of the Russian Possessions, in latitude 54°. Nor ought it to be forgotten that the two governments have made frequent attempts to adjust their conflicting claims, but, as yet, without success. The first of these was made in 1818. It proved abortive; but a convention was entered into which provided that the territory should be left free and open to our citizens and the subjects of Great Britain for ten years; the object of which was to prevent collision and preserve peace till their respective claims could be adjusted by negotiation. The next was made in 1824, when we offered to limit our claim to the territory by the 49th degree of latitude, which would have left to Great Britain all north of that latitude to the southern boundary of Russia. Her negotiator objected, and proposed the Columbia River as the boundary between the possessions of the two countries. It enters the ocean about the 46th degree of latitude. It follows that the portion of the territory really in dispute between the two countries is about three degrees of latitude—that is, about one-fourth of the whole. The attempt to adjust boundaries again failed, and nothing was effected. I learn from our negotiator (a distinguished citizen of Pennsylvania, now in this city), that the negotiation

was conducted with much earnestness, and not a little feeling, on the part of the British negotiators.

In 1827, just before the termination of the ten years, another attempt was made at an adjustment. The negotiation was conducted on our part by Mr. Gallatin. The whole subject was discussed fully, and with great ability and clearness on both sides; but, like the two preceding, failed to adjust the conflicting claims. The same offers were made respectively, by the parties, that were made in 1824, and again rejected. All that could be done was to renew the convention of 1818,—but with the provision that each party might, at its pleasure, terminate the agreement by giving a year's notice. The object of the renewal was, as in 1818, to preserve peace for the time, by preventing either party from asserting its exclusive claim to the territory; and that of the insertion of the provision—to give either party the right of doing so whenever it might think proper, by giving the stipulated notice.

Nor ought it to be forgotten that, during the long interval from 1818 to this time, continued efforts have been made in this and the other House to induce Congress to assert, by some act, our exclusive right to the whole territory, and they have all heretofore failed. It now remains to be seen whether this bill, which covers the whole territory, as well north as south of the 49th degree of latitude, and provides for granting land, and commencing systematically the work of colonization and settlement, shall share the fate of its predecessors.

To determine whether it ought or ought not, involves the decision of two preliminary questions. The first is—whether the time is now arrived when it would be expedient, on our part, to attempt to assert and maintain our exclusive claim to the territory, against the adverse claim of Great Britain; and the other—whether, if it has, the mode proposed in this bill is the proper one.

In discussing them, I do not intend to consider the question of our right to the territory,—nor its value,—nor whether Great Britain is actuated by that keen, jealous, and hostile spirit towards us which has been attributed to her in this discussion. I shall, on the contrary, assume our title to be as valid as the warmest advocate of this bill asserts it to be; the territory to be, as to soil, climate, production, and commercial advantages, all that the ardent imagination of the author of the measure paints it to be; and Great Britain to be as formidable and jealous as she has been represented. I make no issue on either of these points. I controvert none of them. According to my view of the subject, it is not necessary. On the contrary, the clearer the title, the more valuable the territory,—and the more powerful and hostile the British Government, the stronger will be the ground on which I rest my opposition to the bill.

With these preliminary remarks, I repeat the question, Has the time arrived when it would be wise and prudent for us to attempt to assert and maintain our exclusive right to the territory against the adverse and conflicting claim of Great Britain? I answer, No,—it has not; and that for the decisive reason,—because the attempt, if made, must prove unsuccessful against the resistance of Great Britain. We could neither take nor hold it against her; and that for a reason not less decisive,—that she could in a much shorter time, and at far less expense, concentrate a far greater force than we could in the territory.

We seem to forget, in the discussion of this subject, the great events which have occurred in the eastern portion of Asia during the last year, and which have so greatly extended the power of Great Britain in that quarter of the globe. She has there, in that period, terminated successfully two wars; by one of which she has given increased quiet and stability to her possessions in India; and, by the other, has firmly planted her power on the eastern coast of

China, where she will undoubtedly keep up, at least for a time, a strong military and naval force, for the purpose of intimidation and strengthening her newly-acquired possession. The point she occupies there, on the western shore of the Pacific, is almost directly opposite to the Oregon Territory, at the distance of about five thousand five hundred miles from the mouth of the Columbia River, with a tranquil ocean between, which may be passed over in six weeks. In that short time she might place, at a moderate expense, a strong naval and military force at the mouth of that river, where a formidable body of men, as hardy and energetic as any on this continent, in the service of the Hudson's Bay Company, and numerous tribes of Indians under its control, could be prepared to sustain and co-operate with it. Such is the facility with which she could concentrate a force there to maintain her claim to the territory against ours, should they be brought into collision by this bill.

I now turn to examine our means of concentrating an opposing force by land and water, should it become necessary to maintain our claim. We have no military or naval position in the Pacific Ocean. Our fleet would have to sail from our own shores,—to cross the line and double Cape Horn in 56 degrees of south latitude, and, turning north, recross the line and ascend to latitude 46 north, in order to reach the mouth of Columbia River—a distance from New-York (over the straightest and shortest line) of more than 13,000 miles, and which would require a run of more than 18,000 of actual sailing on the usual route. Instead of six weeks, the voyage would require six months. I speak on the authority of one of the most experienced officers attached to the Navy Department.

These facts are decisive. We could do nothing by water. As far as that element is concerned, we could not oppose to her a gun or a soldier in the territory.

But, great as are the impediments by water, they are,

at present, not much less so by land. If we assume some central point in the State of Missouri as the place of rendezvous, from which our military force would commence its march for the territory, the distance to the mouth of the Columbia River will be found to be about two thousand miles ;—of which much more than a thousand miles would be over an unsettled country, consisting of naked plains or mountainous regions, without provisions, except such game as the rifle might supply. On a greater portion of this long march the force would be liable to be attacked and harassed by numerous and warlike tribes of Indians, whose hostilities might be readily turned against us by the British traders. To march such a distance without opposition would take upward of 120 days,—assuming the march to be at the usual rate for military forces. Should it be impeded by the hostilities of Indians, the time would be greatly prolonged.

I now ask, How could any considerable force sustain itself in so long a march, through a region so destitute of supplies ? A small detachment might live on game, but that resource would be altogether inadequate to the support of an army. But, admitting an army could find sufficient supplies to sustain itself on its march to the territory, how could it sustain itself in an uncultivated territory, too remote to draw supplies from our settlements in the rear, and with the ocean in front closed against it by a hostile fleet ? And how could supplies be found to return if a retreat should become necessary ? In whatever view the subject may be regarded, I hazard nothing in asserting that, such is the difficulty, at present, on our part, of concentrating and maintaining a force in the territory, that a few thousand regulars, advantageously fortified on the Columbia River, with a small naval force to support them, could, with the aid of the employees of the Hudson's Bay Company, and the co-operation of the Indians under its influence, bid defiance to any effort we could make to dislodge them. If all other

difficulties could be surmounted, that of transporting a sufficient battering-train, with all its appurtenances, to so great a distance, and over so many obstacles, would be insuperable.

Having now made good my first position, that the attempt, at present, to assert and maintain our exclusive claim to the territory against the adverse claim of Great Britain, must prove unsuccessful if she resisted, it now remains to inquire whether she would resist. And here let me say, whatever might be the doubts of others, surely they who have in this discussion insisted so strongly on her power, her jealousy, and her determination to hold the territory, cannot doubt that she would resist. If, indeed, provoking language can excite her to resistance, or if half which has been said of her hostile disposition be true, she not only would resist, but would gladly seize so favorable an occasion to do so, while we are comparatively so weak and she so strong in that quarter. However unfavorable the time might be for us, for her it would be most propitious. Her vast resources and military power in the East are liberated, and at her disposal, to be directed to assert and maintain her exclusive claim to the territory against ours, if she should determine to follow our example in case this bill should pass. Even I, who believe that the present ministry is disposed to peace; that the recent mission to this country originated in the spirit of peace; and that Sir Robert Peel has exhibited great wisdom and moderation—moderation in the midst of splendid success, and therefore more to be trusted—do not doubt she would resist, if we should adopt this measure. We must not forget, as clear as we believe our title to be, that the right to the territory is in dispute between the two countries;—and that, as certain as we regard our right to be, she regards hers as not less so. It is a case of adverse conflicting claims, and we may be assured, if we undertake to assert our exclusive right, she will oppose us by asserting hers; and if the ap-

peal should be to force, to decide between us at present, the result would be inevitable—the territory would be lost to us. Indeed, this is so incontestable that no one has ventured to deny it, and there is no hazard in asserting that no one will who understands the subject, and does not choose to have the soundness of his judgment questioned.

But it may be asked, What then? Shall we abandon our claim to the territory? I answer, No. I am utterly opposed to that; but, bad as that would be, it would not be so bad as to adopt a rash and precipitate measure, which, after great sacrifices, would finally end in its loss. But I am opposed to both. My object is to preserve, and not to lose the territory. I do not agree with my eloquent and able colleague that it is worthless. He has underrated it both as to soil and climate. It contains a vast deal of land, it is true, that is barren and worthless, but not a little that is highly productive. To that may be added its commercial advantages, which will, in time prove to be great. We must not overlook the important events to which I have alluded as having recently occurred in the eastern portion of Asia. As great as they are, they are but the beginning of a series of a similar character which must follow at no distant day. What has taken place in China will, in a few years, be followed in Japan and all the eastern portions of that continent. Their ports, like the Chinese, will be opened, and the whole of that large portion of Asia, containing nearly half of the population and wealth of the globe, will be thrown open to the commerce of the world, and be placed within the pale of European and American intercourse and civilization. A vast market will be created, and a mighty impulse will be given to commerce. No small portion of the share that would fall to us with this populous and industrious portion of the globe, is destined to pass through the ports of the Oregon Territory to the valley of the Mississippi, instead of taking the circuitous and long voyage round Cape Horn, or the still

longer round the Cape of Good Hope. It is mainly because I place this high estimate on its prospective value that I am so solicitous to preserve it, and so adverse to this bill, or any other precipitate measure which might terminate in its loss. If I thought less of its value, or if I regarded our title less clear, my opposition would be less decided.

Having now, I trust, satisfactorily shown that, if we should now attempt to assert and maintain our exclusive right to the territory against the adverse claim of Great Britain, she would resist; and that, if she resisted, our attempt would be unsuccessful, and the territory be lost, the question presents itself, How shall we preserve it?

There is only one means by which it can be preserved, but that, fortunately, is the most powerful of all—*time*. *Time* is acting for us; and if we shall have the wisdom to trust its operation, it will assert and maintain our right with resistless force, without costing a cent of money or a drop of blood. There is often, in the affairs of government, more efficiency and wisdom in non-action than in action. All we want, to effect our object in this case, is "a wise and masterly inactivity." Our population is rolling towards the shores of the Pacific with an impetus greater than what we realize. It is one of those forward movements which leaves anticipation behind. In the period of thirty-two years which have elapsed since I took my seat in the other House, the Indian frontier has receded a thousand miles to the West. At that time our population was much less than half what it is now. It was then increasing at the rate of about a quarter of a million annually; it is now not less than six hundred thousand,—and still increasing at the rate of something more than 3 per cent. compound annually. At that rate, it will soon reach the yearly increase of a million. If to this be added that the region west of Arkansas and the State of Missouri, and south of the Missouri River, is occupied by half-civilized tribes, who have their lands secured to

them by treaty (and which will prevent the spread of population in that direction), and that this great and increasing tide will be forced to take the comparatively narrow channel to the north of that river and south of our northern boundary, some conception may be formed of the strength with which the current will run in that direction, and how soon it will reach the eastern gorges of the Rocky Mountains. I say some conception, for I feel assured that the reality will outrun the anticipation. In illustration, I will repeat what I stated when I first addressed the Senate on this subject. As wise and experienced as was President Monroe—as much as he had witnessed of the growth of our country in his time, so inadequate was his conception of its rapidity, that near the close of his administration,—in the year 1824,—he proposed to colonize the Indians of New-York, and those north of the Ohio River and east of the Mississippi, in what is now called the Wisconsin Territory,—under the impression that it was a portion of our territory so remote that they would not be disturbed by our increasing population for a long time to come. It is now but eighteen years since; and already, in that short period, it is a great and flourishing territory, ready to knock at our door for admission as one of the sovereign members of the Union. But what is still more striking—what is really wonderful and almost miraculous is, that another territory (Iowa), still farther west (beyond the Mississippi), has sprung up, as if by magic, and has already outstripped Wisconsin, and may knock for entrance before she is prepared to do so. Such is the wonderful growth of a population which has attained the number ours has,—yearly increasing at a compound rate,—and such the impetus with which it is forcing its way, resistlessly, westward. It will soon—far sooner than anticipated—reach the Rocky Mountains, and be ready to pour into the Oregon Territory;—when it will come into our possession without resistance or struggle; or, if there should be resistance, it would be feeble

and ineffectual. *We should then* be as much stronger there, comparatively, than Great Britain, as *she is now* stronger than we are; and it would then be *as idle in her* to attempt to assert and maintain her exclusive claim to the territory *against us*, as it would *now be in us* to attempt it *against her*. Let us be wise and abide our time;—and it will accomplish all that we desire with more certainty, and with infinitely less sacrifice than we can without it.

But if the time had already arrived for the successful assertion of our right against any resistance which might be made, it would not, in my opinion, be expedient in the present condition of the Government. It is weak—never more so: weak politically; and from the state of the finances. The former was so ably and eloquently described by my colleague, that I have nothing to add but a single remark on the extraordinary state of parties at present. There are now three parties in the Union; of which one is in possession of the Executive Department,—another of the Legislative,—and the other (judging by the recent elections), of the country,—which has so locked and impeded the operations of the Government, that it is scarcely able to take measures necessary to its preservation.

In turning from this imbecile political condition of the Government, and casting my eyes on the state of its finances, I behold nothing but disorder and embarrassment; credit prostrated; a new debt contracted, already of considerable amount, and daily increasing; expenditures exceeding income; and the prospect, instead of brightening, growing still more gloomy. Already the debt falls not much short of thirty millions of dollars;—to which will be added, from present appearances, by the end of the year (if the appropriations are not greatly curtailed and the revenue improved), not less, probably, than ten millions, when the interest would be upward of two millions of dollars annually—a sum more than equal to the net revenue from the public lands. The

only remaining revenue is derived from the foreign commerce of the country, and on that such heavy duties are imposed that it is sinking under the burden. The imports of the last quarter, it is estimated, will be less than nine millions of dollars—a falling off of about two-thirds, compared with what it ought to be, according to the estimate made at the last session by those who imposed the burden. But as great as it is, the falling off will, I understand, be still greater, from present indications, during the present quarter; and yet, in the face of all this, we are appropriating money as profusely, and projecting schemes of expenditure as thoughtlessly, as if the treasury were full to overflowing. So great is the indifference, that even the prostrated condition of the treasury attracts no attention. It is scarcely mentioned or alluded to. No one seems to care any thing about it. Not an inquiry is made how the means of supplying the acknowledged deficit to meet the current demands on the treasury, or to cover the extraordinary expenditures which will be incurred by this measure, should it be adopted, are to be raised. I would ask its advocates, Do you propose to borrow the funds necessary for its execution? Our credit is already greatly impaired, and our debt rapidly increasing; and are you willing still further to impair the one and add to the other? Do you propose to raise them by increasing the duties? Can you hope to derive additional revenue from such increase, when the duties are already so high as not only to paralyze the commerce, agriculture, and industry of the country, but to diminish to an alarming extent, the revenue from the imports? Are you prepared to lay a duty on tea and coffee, and other free articles? If so, speak out, and tell your constituents plainly that such is your intention; that money must be had; and that no other source of revenue is left which can be relied on but a tax on them. It must come to that; and, before we

incur the expense, it is but fair that our constituents should know the consequence.

But we are told the expense will be small—not exceeding one or two hundred thousand dollars. Let us not be deceived. What this bill appropriates is but the entering-wedge. Let it pass, and no one can tell what it will cost. It will depend on circumstances. Under the most favorable,—on the supposition that there will be no resistance on the part of Great Britain, it will amount to millions; but if she should resist, and we should make it a question of force, I hazard nothing in saying it would subject the country to heavier expenditure, and expose it to greater danger, than any measure which has ever received the sanction of Congress.

Many and great are the acts of folly which we have committed in the management of our finances in the last fourteen or fifteen years. We doubled our revenue when our expenditures were on the eve of being reduced one-half by the discharge of the public debt. We reversed that act of folly, and doubled our expenditure when the revenue was in the course of reduction under the Compromise Act. When the joint effects of the operation of the two had exhausted the treasury, and left the Government without adequate means to meet current demands, by an aptitude in folly unexampled, we selected that as the fit moment to divest the Government of the revenue from the public domain, and to place the entire burden of supporting it on the commerce of the country. And then, as if to consummate the whole, we passed an act at the close of the last session, which bids fair to cripple effectually this, our only remaining source of revenue. And now what are we doing? Profiting by the disastrous consequences of past mismanagement? Quite the reverse: committing, if possible, greater and more dangerous acts of folly than ever. When the Government and the country are lying prostrate by this long series of errors and

mismanagement; and when the public credit is deeply impaired; when the people and the States are overwhelmed by debt, and need all their resources to extricate themselves from their embarrassments,—that is the moment we select to bring forward a measure which, on the most favorable supposition, if adopted, cannot fail to subject the Government to very heavy expenditures, even should events take the most favorable turn; and may—no, that is not strong enough—would probably subject it to greater than it ever has heretofore known. Where would the Government find resources to meet them? Not in its credit,—for that would be extinct. Not in the impost,—for that is already overburdened. Not in internal taxes,—the indebted condition of the States forbids that. More than half the States of the Union are in debt; many deeply, and several even beyond their means of payment. They require every cent of the surplus means of their citizens, which can be reached by taxes, to meet their own debts. Under such a state of things, this Government could not impose internal taxes, to any considerable amount, without bankrupting the indebted States or crushing their citizens. What would follow should the Government be compelled, in consequence of this measure, to resort to such taxes, I shall not undertake to trace. Suffice it to say, that all preceding disasters, as great as they were, which followed the preceding acts of folly, would be as nothing compared to the overwhelming calamities which would follow this. Our system might sink under the shock.

If, Senators, you would hearken to the voice of one who has some experience, and no other desire but to see the country free and prosperous, I would say, Direct your eyes to the finances. There, at present, the danger lies. Restore, without delay, the equilibrium between revenue and expenditures, which has done so much to destroy our credit and derange the whole fabric of the Government. If that

should not be done, the Government and country will be involved, ere long, in overwhelming difficulties. Cherish the revenue from the lands and the imports. They are our legitimate sources of revenue. When the period arrives—come when it may—that this Government will be compelled to resort to internal taxes for its support in time of peace, it will mark one of the most difficult and dangerous stages through which it is destined to pass. If it should be a period like the present—when the States are deeply in debt, and need all their internal resources to meet their own engagements—it may prove fatal; and yet it would seem as if systematic efforts are, and have been making for some time, to bring it about at this critical and dangerous period. To this all our financial measures tend—the giving away the public lands; the crushing of the customs by high protective, and, in many instances, prohibitory duties; the adoption of hazardous and expensive measures of policy like the present; and the creation of a public debt, without an effort to reduce the expenditures. How it is all to end time only can disclose.

But if our finances were in ever so flourishing a state; if the political condition of the country were as strong as it could be made by an administration standing at the head of a powerful dominant party; and if our population had reached the point where we could successfully assert and maintain our claim against the adverse claim of Great Britain, there would still remain a decisive objection to this bill. The mode in which it proposes to do it is indefensible. If we are displeased with the existing arrangement, which leaves the territory free and open to the citizens and subjects of the two countries; if we are of opinion it operates practically to our disadvantage, or that the time has arrived when we ought to assert and carry into effect our claim of exclusive sovereignty over the territory, the treaty provides expressly for the case. It authorizes either party, by giving a year's

notice, to terminate its existence whenever it pleases, and without giving reasons. Why has not this bill conformed to this express and plain provision? Why should it undertake to assert our exclusive ownership to the whole territory, in direct violation of the treaty? Why should it, with what we all believe to be a good title on our part, involve the country in a controversy about the violation of the treaty, in which a large portion (if not a majority) of the body believe that we would be in the wrong,—when the treaty itself might so easily, and in so short a time, be determined by our own act, and the charge of its violation be avoided? Can any satisfactory reason be given to these questions? I ask the author of the measure, and its warm advocates, for an answer. None has been given yet, and none, I venture to assert, will be attempted. I can imagine but one answer that can be given—that there are those who will vote for the bill who would not vote to give notice,—under the delusive hope that we may assert our exclusive ownership, and take possession without violating the treaty or endangering the peace of the country. Their aim is, to have all the benefit of the treaty, without being subject to its restrictions; an aim in direct conflict with the only object of the treaty—to prevent conflict between the two countries, by keeping the question of ownership or sovereignty in abeyance till the question of boundary can be settled. That such is the object appears to be admitted by all except the Senator for New Hampshire (Mr. Woodbury), whose argument, I must say, with all deference, was on that point very unsatisfactory. The other advocates of the bill, accordingly, admit that a grant of lands to emigrants settling in the territory, to take *effect immediately*, would be a violation of the treaty; but contend that a promise to grant hereafter would not be. The distinction is, no doubt, satisfactory to those who make it; but how can they rationally expect it will be satisfactory to the British Government, when so large a por-

tion of the Senate believe that there is no distinction between *a grant* and *a promise to grant lands*, as it relates to the treaty, and hold one to be as much a violation of it as the other? We may be assured that the British Government will look to the intention of the bill, and, in doing so, will see that its object is to assert our exclusive claim of sovereignty over the entire territory against their adverse claim, and will shape their course accordingly. Our nice distinction between actual grants and the promise to grant will not be noticed. They will see in it the subversion of the object for which the treaty was formed, and take their measures to counteract it. The result will be that, instead of gaining the advantage aimed at, we shall not only lose the advantages of the treaty, but be involved in the serious charge of having violated its provisions.

I am not, however, of opinion that Great Britain would declare war against us. If I mistake not, she is under the direction, at this time, of those who are too sagacious and prudent to take that course. She would probably consider the treaty at an end, and take possession adverse to us, if not of the whole territory, at least to the Columbia River. She would, at the same time, take care to command that river by a strong fortification, manned by a respectable garrison, and leave it to us to decide whether we shall acquiesce, or negotiate, or attempt to dislodge her. To acquiesce, under such circumstances, would be a virtual surrender of the territory; to negotiate with adverse and forcible possession against us would be almost as hopeless; and to dislodge her at present would, as has been shown, be impracticable.

Such, in my opinion, would be the probable result, should this bill be passed. It would place us, in every respect, in a situation far less eligible than at present. The occupation of British subjects in the territory, as things now stand, is by permission, under positive treaty stipulation, and cannot

ripen into a title, as it was supposed it would by the Senator from Illinois (Mr. M'Roberts).

But if their occupancy was adverse (as it would be should this measure be adopted), and Great Britain should resist, then his argument would be sound, and have great force. In that case, the necessity of taking some decisive step on our part to secure our rights would be imperious. Delay would then, indeed, be dangerous. But as it is, no length of time can confer a title against us; and it is this—considering what advantage Great Britain has over us at present, either to take or hold possession—which ought to give the treaty great value in our estimation. It is a wise maxim to let well enough alone. We can do little at present to better our condition. Even the occupation and improvement by British subjects, against which so much has been said, will in the end, if we act wisely, be no disadvantage. Neither can give any claim against us, when the time comes to assert our rights, if we abide faithfully by the treaty. They are but preparing the country for our reception; and should their improvements and cultivation be extended, it would only enable us to take possession with more ease if it should ever become necessary to assert our claims by force, which I do not think probable, if we shall have the wisdom to avoid hasty and precipitate action, and leave the question to the certain operation of time.

In conclusion, I might appeal to the authority of all preceding administrations, from 1818 to the present time, in support of the views I have taken. On what other supposition can it be explained that the administration of Mr. Monroe should assent to the treaty of that year, which left the territory open and free to the citizens and subjects of the two countries for the period of ten years? Or that Mr. Adams should revive it, with the provision that either might terminate it by giving one year's notice? Or, still more emphatically, how can it be explained that, with this right of termi-

nating the treaty, the administration of General Jackson, and that of his successor, should, for the period of twelve years, acquiesce in it,—but on the conviction that it was the best arrangement which could be made, and that any change or movement on our part would but render our situation worse, instead of better, in relation to the territory? It cannot be said that the present is a more favorable period to assert our exclusive right than during either of the preceding administrations. The reverse is the fact. It is, in every view, far less favorable than either; and especially than that of General Jackson, when the treasury was overflowing, and the head of the administration possessed greater influence and power than any other chief magistrate that ever presided over the country. *Then*, if ever, was the time to assert our exclusive ownership; particularly as those who are so earnestly pressing it on the Government were then in power, and would have been responsible for its execution. How is it to be explained that they were then so passive and are now so urgent for the passage of this bill?

Entertaining these views, I hope that the motion of the Senator from Virginia (Mr. Archer) will prevail, and the bill be referred to the Committee on Foreign Relations. The subject is one of great importance and delicacy, and ought to be carefully examined by the appropriate organ of the body. Should it be referred, I trust the Committee will report amendments to strike out all the provisions of the bill which, by any reasonable interpretation, might be regarded to be in conflict with the stipulations of the treaty between the two countries,—or which might incur any considerable expense in the present exhausted condition of the treasury. As at present advised, I am not indisposed to the provision, if properly guarded, which proposes to extend our jurisdiction over our citizens in the territory. It ought not, however, to be carried further than the provisions of the act of Parliament of 1821. I am opposed to holding out tempta-

notice, to terminate its existence whenever it pleases, and without giving reasons. Why has not this bill conformed to this express and plain provision? Why should it undertake to assert our exclusive ownership to the whole territory, in direct violation of the treaty? Why should it, with what we all believe to be a good title on our part, involve the country in a controversy about the violation of the treaty, in which a large portion (if not a majority) of the body believe that we would be in the wrong,—when the treaty itself might so easily, and in so short a time, be determined by our own act, and the charge of its violation be avoided? Can any satisfactory reason be given to these questions? I ask the author of the measure, and its warm advocates, for an answer. None has been given yet, and none, I venture to assert, will be attempted. I can imagine but one answer that can be given—that there are those who will vote for the bill who would not vote to give notice,—under the delusive hope that we may assert our exclusive ownership, and take possession without violating the treaty or endangering the peace of the country. Their aim is, to have all the benefit of the treaty, without being subject to its restrictions; an aim in direct conflict with the only object of the treaty—to prevent conflict between the two countries, by keeping the question of ownership or sovereignty in abeyance till the question of boundary can be settled. That such is the object appears to be admitted by all except the Senator for New Hampshire (Mr. Woodbury), whose argument, I must say, with all deference, was on that point very unsatisfactory. The other advocates of the bill, accordingly, admit that a grant of lands to emigrants settling in the territory, to take *effect immediately*, would be a violation of the treaty; but contend that a promise to grant hereafter would not be. The distinction is, no doubt, satisfactory to those who make it; but how can they rationally expect it will be satisfactory to the British Government, when so large a por-

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its rejection, and our title to the whole asserted. On the same conviction, it recommends to Congress to give the notice in order to annul the convention, with the view to remove all impediments to our assertion of our right to the whole of the territory. Assuming, then, that there would be no compromise, it informs us that, at the expiration of the twelve months, a period would arrive when our title to the territory must be abandoned or firmly maintained; and that neither our honor nor our interest would permit us to abandon it; in other words, that we must then assert our exclusive sovereignty to the whole, to the exclusion of that of Great Britain, unless the latter should, in the interval, abandon its claims to the territory. Throughout the whole recommendation there is not the slightest intimation that any compromise is expected. On the contrary, the very opposite is constantly assumed.

But it is alleged that the reason for believing there could be no compromise was derived from the evidence which the negotiation itself furnished, and especially by the rejection of the offer of compromise on 49°. Such I admit to be the case,—and also that it may be fairly inferred, if England should renew, on her part, the proposition rejected by her Minister, or one substantially the same, our Executive would accept the offer, and settle by compromise the conflicting claims of the territory. But the message intimates nowhere the slightest expectation that such an offer would be made,—or, if made, that any compromise could be effected.

Such is the view which I have been constrained to take, after a most careful and candid examination of the portion of the message recommending notice; and such, I infer, is the view taken by the portion of the Senate who believe our title to the whole territory to be clear and unquestionable. On no other view can their warm and decided support of notice be explained. They not only believe that our title is clear and unquestionable to the whole, but also that

the honor of the country demands that it should be asserted and maintained by an appeal to arms, without the surrender of any part. Acting on this conviction, it is manifest that they can only support notice on the belief that it would not lead to compromise. On the opposite, they would be compelled to oppose it.

Such, also, would seem to be the view taken of the message by the community at large at the time, if we may judge from the tone of the public press, or what perhaps is a still truer index—the conduct of our intelligent business men. The message had the most decided effect in this respect. Stocks of every description fell, marine insurances rose, commercial pursuits were suspended, and our vessels remained inactive at the wharves.

Such, also, was the view taken by a great majority of that portion of the Senate who were opposed to giving notice,—among whom I include myself. We opposed it on grounds directly the reverse of those on which they who believed our right to the whole territory to be clear and unquestionable supported it. They supported notice because they believed there neither ought to be, nor would be any compromise. We, on the contrary, opposed it because we believed there might be, and ought to be compromise. They opposed compromise because, as has been stated, they believed our title to be perfect to the whole; while we supported it because we believed the title of neither to the whole to be clear and indisputable; and that the controversy might be adjusted by a fair partition of the territory. With such impressions, we believed that two such powerful and enlightened countries as the United States and Great Britain would not resort to arms to settle a controversy which might be peacefully and honorably settled by negotiation and compromise.

Entertaining this opinion, we were compelled to oppose notice, because it was necessary to prevent an appeal to arms, and to insure the peaceful settlement of the question. By

defeating it, a breathing time would, at least, be afforded to both parties for calm and mature reflection, under the influence of which, it was hoped, that negotiation might be renewed, and the difference honorably compromised. Or, in case that should fail, things might remain as they have been without a resort to force. In this case, the territory would be left open to emigration, and the question, to whom it should ultimately belong, would be decided by settlement and colonization, unless Great Britain should give notice on her part, in order to prevent it. If she should, we would, at least, gain the advantage of transferring the responsibility from us to her, should war ensue.

Another portion of the Senate appeared to be in favor both of compromise and notice. Their views were not explicitly expressed; but, as far as they were developed, they, too, seemed to think that our title was not so perfect as to exclude an honorable compromise; and appeared to anticipate it, in opposition to the message, in recommending it on the three following grounds: first, on the ground of the general declaration of the President in the latter part of the message, that he hoped an amicable arrangement might be made of the question in dispute, in connection with a declaration of Mr. Buchanan to the same effect, in one of his letters to Mr. Pakenham. It is impossible for me, with every disposition to support the recommendation of the President in favor of notice, to concur in the opinion that a mere general expression of the kind, and inserted in another portion of the message,—even when backed by a similar declaration of the Secretary of State,—could be fairly construed to overrule the opinion,—clearly and explicitly expressed by the message in recommending notice,—that no compromise which ought to be accepted could be effected. I cannot admit of such a construction,—not only because I think it unreasonable, but because I regard the duty of the President, imposed by the constitution, to recommend measures to Congress, as one of

a solemn character, and that it ought to be performed with the utmost candor and sincerity. Being addressed to a co-ordinate department of the Government, it ought to express plainly and explicitly his reasons and motives for recommending the measure, omitting none which he regards as material, and inserting none but such as he believes ought to have an influence upon the deliberations of Congress. It ought to be free from the suspicion of being diplomatic. To admit the contrary, would destroy all confidence between the Legislative and Executive Departments, to the great detriment of the Government. With these impressions, it would be to disparage the character of the President for me to concur in the construction.

The next ground taken by a portion of the Senate referred to is, that notice is recommended to be given by the message, not with the view of giving power to the President to assert our rights to the whole territory, but as a moral weapon, to enforce compromise.

To this construction I have the same difficulty in assenting as to the preceding. There is nothing in the language of the recommendation to authorize it. On the contrary, every word it contains looks expressly, as has been stated, to the enforcement of our rights to the territory on the expiration of the notice. To give a contrary interpretation would be to give a diplomatic character to the message, and be subject to all the objections which have been just suggested. But admitting that it was intended, as alleged, as a moral weapon to effect compromise, I would ask, how could that be effected, but by using it as the means to intimidate Great Britain—to intimidate, by telling her that she must quit the territory within the year, or be expelled at its expiration by force? And what would this be but an appeal to her fears, with the hope of extorting concessions which her reason had refused to yield? Such an appeal, in case of a feeble nation, would be hazardous; but in that of one as great and power-

ful as England, instead of a weapon to enforce a compromise, it would be one calculated to defeat it.

The remaining reason for voting notice on the part of the Senators referred to, is of a very different character. It objects to the convention itself; and condemns the policy of entering into either that of 1818 or 1827, on the ground that, instead of being the means of securing and perpetuating our rights in the territory, they have had the very reverse effect,—to weaken instead of to strengthen our title to the territory. My opinion, I must say, is precisely the opposite. It would, indeed, have been desirable to have settled it then by a compromise on the 49th parallel of latitude; but that, as is well known, was impossible at the time. The offer, in fact, was made on our side, but rejected on the part of Great Britain. The rejection left no other alternative but an appeal to arms, or a surrender of our rights to the territory, or to enter into the convention. To do nothing would have been to acquiesce in the claims of Great Britain, whose subjects were then in actual possession. Her possession, being adverse to ours, would have been gradually maturing, through the long intervening period, into a title too perfect to be opposed by ours. To avoid this, we were compelled to resort to force, or enter into a convention to preserve our rights. We wisely preferred the latter; — and the conventions of 1818 and 1827 were the consequences of that preference. They were entered into for the two-fold objects,—as substitutes for war, and as the means of preserving our rights to the territory, as they then stood, unimpaired. To appreciate the wisdom of the policy, it must be borne in mind that, at the time, our means of asserting our rights to the territory or of acquiring possession were exceedingly limited, compared with those of Great Britain, but that they were steadily and rapidly increasing. Those who had the management of affairs, at the period, wisely relied upon time and the rapid spread of population in a western direction, as the

means ultimately of acquiring possession of the territory, and entered into the convention with a view of preserving our rights unimpaired until they could operate with full effect.

It is but too common, of late, to condemn the acts of our predecessors, and to pronounce them unjust, unwise, or unpatriotic, from not adverting to the circumstances under which they acted. Thus to judge, is to do great injustice to the wise and patriotic men who preceded us. In this case, it is to condemn such men as Monroe, Rush, Clay, and Gallatin—all of whom had an agency in directing or conducting the negotiations which terminated in the adoption of these conventions. It would be hard to pronounce men like these to have been unwise or unpatriotic in what they did, or to pronounce President Jackson and others after him so, because they acquiesced for many years under the operation of the convention of 1827, when they could have terminated it, at any time, by giving a year's notice. I have not named the most prominent individual concerned in directing these negotiations, because his course, on this occasion, has, in my opinion, cancelled any previous credit to which he would have been otherwise entitled.

Such was the state of things at the commencement of the session, when the President recommended notice to be given to terminate the joint occupancy; and such the position and grounds assumed by the several portions of the Senate in reference to the notice. Since then, as has been stated, there has been a great change, which has materially affected the question of notice, and the position taken by the different portions of the body in reference to it, as I shall next explain.

Public opinion has had time to develope itself, not only on this, but on the other side of the Atlantic; and that opinion has pronounced most audibly and clearly in favor of compromise. The development has been going on, not only

in the community, but also in this body; and I now feel that I hazard nothing in saying, that a large majority of the Senate is in favor of terminating the controversy by negotiation, and an honorable compromise. And what is very material, the opinion of the British Government on the subject of compromise has been more clearly and specifically developed than when the message was transmitted to Congress; so much so, that there is ground to hope it is prepared to adjust the difference in reference to the territory substantially on the basis which was offered by the President. It seems to me impossible that any other construction can be given to what Sir Robert Peel said in reply to the question put to him by Lord John Russell. His declaration was made under circumstances calculated to give it great weight. The object of making it was clearly not to censure the able and very faithful representative of Great Britain in this country, but to use the occasion to give assurance that he is ready to make a compromise, as it may be inferred, substantially on the basis of the rejected offer. I trust sincerely that such is the interpretation which our Government has put upon it; and that, regarding it as a direct step towards compromise, it has met it, with a step on our part, by suitable instructions to our Minister in that country. It is to be hoped that a communication has already been transmitted, which may have the effect of removing what would seem to be the only material difficulty in the way of an adjustment; that is, which shall make the first step towards resuming the negotiation.

As things now stand, I no longer consider it as a question, whether the controversy shall be pacifically arranged or not, nor even in what manner it shall be arranged. I regard the arrangement now simply a question of time, and I trust that, in concluding it, there will be no unnecessary delay. The business of both countries, and of commerce generally, requires that it should be concluded as promptly as possible.

There is still another and a higher reason why it should be speedily settled. The question is one of a momentous and delicate character, and like all such, should be settled, in order to avoid adverse contingencies, with the least practicable delay. A further inducement for dispatch in settling the Oregon question is, that upon it depends the settlement of the question with Mexico. Until the former is settled, there is but slender prospect that the latter can be; for so long as the Oregon question is left open, Mexico will calculate the chances of a rupture between us and Great Britain, in the event of which, she would be prepared to make common cause against us. But when an end is put to any such hope, she will speedily settle her difference with us. I trust that when we come to settle it, we will deal generously with her, and that we will prove ourselves too just and magnanimous to take advantage of her feeble condition.

It is this great change in favor of the prospect of settling the controversy in reference to Oregon honorably, by negotiation and compromise, which has occurred since the commencement of the session, that has made the great difference in the importance of the bearing of notice on the question of peace and war. What then was apparently almost hopeless, may be now regarded as highly probable, unless there should be some great mismanagement; but just as compromise is more hopeless, notice becomes more important in its bearing on the relations of peace and war; and, on the other hand, just as the chances of compromise are increased, notice becomes less important; and hence its importance at the commencement of the session, and its comparatively little importance now.

I shall next proceed to inquire what bearing the increased prospect of compromise has on the position of the Executive, and that of the several portions of this body, in reference to notice, and the Oregon question generally. That it is calculated to affect materially the position of the Execu-

tive must be apparent. That he should recommend giving notice to terminate the convention of joint occupancy of the territory, with a view of asserting our exclusive sovereignty to the whole, according to his view of our title, when there was little or no hope of compromise, is not at all inconsistent with his being prepared to adjust the difference by compromise, substantially on the ground offered by himself, now when there is a reasonable prospect it may be effected. Measures of policy are necessarily controlled by circumstances; and, consequently, what may be wise and expedient under certain circumstances, might be eminently unwise and impolitic under different circumstances. To persist in acting in the same way under circumstances essentially different, would be folly and obstinacy, and not consistency. True consistency, that of the prudent and the wise, is to act in conformity with circumstances, and not to act always the same way under a change of circumstances. There is a prevalent error on this point. Many think that the very essence of consistency is to act always the same way—adhering to the same party, or to the same measures of policy, without regard to change of circumstances. Their consistency is like that of a physician, who, in the treatment of a highly inflammatory fever, would administer emetics and calomel, not only at the beginning, but at every subsequent stage of the disease. It is the consistency of a quack, which would be sure to kill the patient. The public man who would be consistent in the same way would be but a political quack, and in dangerous cases, his prescription would be not less fatal. If, then, the Executive is now really in favor of compromise,—notwithstanding the strong language used in his message recommending notice (of which I have no information that is not common to all),—it ought not to subject him to the charge of inconsistency, but should be put down to the change of circumstances to which I have adverted.

That it is also calculated to alter the positions taken by

different portions of the Senate, in reference to notice, is no less certain; and this my friends (for such I will call them), who go for the whole of Oregon, must, I am sure, feel to be the case with them. They cannot, I am confident, have the same interest in notice now, when there is great reason to believe that the difference will be compromised with or without notice, as they had when there was no hope of compromise. It is clear that, under such change of circumstances, the reason for giving notice with them has, in a great measure if not altogether, ceased, so that I should not be surprised to find their votes cast against it.

But I trust that the change has gone further, and that they, by this time, begin to see that there are some doubts as to our title to the whole of Oregon being clear and unquestionable. It cannot, at least, be regarded as unquestionable, after it has been questioned so frequently and with such ability during this discussion. But if their opinion remains unchanged as to the clearness of our title, I put it to them whether there is not some deference due to the opinion of the great majority of the Senate who entertain different views? Is there not something due to the fact, that the majority even of their own political friends, whose patriotism and intelligence they cannot regard as inferior to their own, think that our title is not so clear but that a compromise might be honorably effected? To put a still stronger question, I ask them, as patriots and friends of Oregon, whether the fact, itself, of so great a division, even among ourselves, does not afford strong reason why the controversy should not be settled by an appeal to force? Are they willing, as wise and patriotic men, desirous of securing the whole of Oregon, to place the country in conflict with so great a power as England, when the united support and zealous co-operation of all would be indispensable to support the country in the contest? I appeal to them, in the humbler character, as party men, whether they are justified in persisting to push a course

of policy which, whether it should end in war or not, must terminate in the division and distraction of their party?

Without pursuing this branch of the subject further, I shall conclude what I had to observe in reference to it, by saying that I, for one, feel and acknowledge the change. Nothing could have induced me to vote for notice, in any form, while there was apparently no hope of compromise; but now that there is, I am disposed to do so, if it should be properly modified.

I am thus brought to the question under consideration, to which all the preceding remarks were but preliminary—Shall notice be given to Great Britain to terminate the convention of joint occupancy? After what has been said, a few words will suffice to dispatch it.

The question is not free from doubt. After a review of the whole ground, I can discover but two reasons in favor of giving it. The first is,—to put an end to the agitation of the Oregon question,—which, without it, may run into the next presidential election, and thereby become more difficult of adjustment than ever. The other is,—the apprehension that the Government of Great Britain may wait the final action of Congress in reference to notice before it will move on the subject. Were it not for such apprehension, I would be disposed to postpone notice for the present.

The next question is,—In what form should it be given, if given at all? I, for one, can, under no circumstances, vote for absolute notice, although I admit it would be less dangerous now than when recommended by the message. I cannot consent to give a vote which might be construed to imply, that there was no hope of compromise, and which might, if given in that form, leave a doubt in the public mind as to the real opinion of the Senate in reference to compromise.

Nor can I vote for notice in the form which has been sent to us from the other House. I object to it as equivocal. If

the resolution means simply to declare that the President may settle the controversy by compromise, it means nothing, as the President has that right under the constitution, and can neither be clothed with, nor divested of it by the authority of Congress. But if it be intended as a hint to him to settle the question by negotiation and compromise, I object to it for not plainly saying so. I am utterly opposed to all equivocation, or obscure expressions, in our public acts. We are bound to say plainly what we mean to say. If we mean negotiation and compromise, let us say it distinctly and plainly, instead of sending to the President a resolution on which he may put whatever interpretation he pleases.

If we give notice at all, it seems to me, for the reasons just stated, it should be substantially as has been proposed by the gentleman from Georgia (Mr. Colquitt), which plainly expresses the desire of the Senate that it should be settled by negotiation and compromise. For it I am inclined to vote, as at present advised; but regarding notice in all its forms as subordinate to settling the controversy without resort to arms, I reserve my decision until I am called upon to vote; and then I shall decide in the affirmative or negative, according as I shall judge that one or the other is best calculated to advance the end I have in view.

I have thus stated my reasons for supporting a compromise, and for favoring, at present, the giving of notice. I have been governed, as to both, by the circumstances under which I find myself placed, but for which I am no ways responsible. I am doing the best I can, where I find myself; and not what I would under different circumstances. So far from being responsible for the present state of things, I early took my stand against that line of policy which has placed us where we are. I refer to 1843. Then the Oregon question, for the first time, assumed a dangerous aspect. After having been long and frequently brought to the notice of Congress, without exciting attention, I then saw, or

thought I saw, that it was destined, at no distant period, to become an absorbing and dangerous question, and accordingly felt it to be my duty, before I decided on my course in reference to it, to examine it in all its bearings with care and deliberation. After much reflection, I came to the conclusion, which I, on the occasion, explained in a speech delivered on the subject. I then saw that there were two distinct lines of policy, which might be pursued: one was,—to adhere to the convention of 1827; oppose every attempt to annul it, and strictly observe its provisions. I saw that, although for a time the convention had operated beneficially for Great Britain, a period was at hand when our turn would come to enjoy its benefits. Its operation had, theretofore, thrown into her hands the whole fur-trade of the region; and we had looked on, while she reaped the rich harvest, when it was in our power at any time to annul the convention by giving the year's notice. But I saw that our forbearance would be compensated by the advantages which the convention was about to confer on us, if we should have the wisdom to adopt the proper line of policy to secure them. The increase of our population, and its progress westward were rapidly extending our settlements towards the Rocky Mountains, through which a pass had been discovered but a few years before, which greatly increased the facility of colonizing the territory.

In this state of things, it was clear to my mind that if we adhered to the convention, and respected its provisions, the progress of events would ultimately give us possession of the whole territory; as our power to settle the territory, and thereby obtain possession, was far greater than that of Great Britain. Its distance from us was far less, and the approach through an open, grassy country affording great facility to the active and hardy pioneers of the West, who emigrate with their families and herds, with little expense or fatigue. Very different was the case with Great Britain.

The distance to Oregon, by water, from her shores cannot be much less than twenty thousand miles—a distance but little short of the entire circumference of the globe; while her approach to it through her American possessions opposes great difficulties to emigration on a large scale. Of all the spots on the globe now open to colonization, and susceptible of being colonized, it is the most remote from her, and the most difficult of access. She has many colonies much nearer to her, to which there is much greater facility of access, with equal soil and climate, as yet very partially settled. Even New Zealand in all these respects is superior to it. With these advantages in our favor in settling the territory, and which were yearly rapidly increasing, it was clear to my mind that all we had to do was to adhere to the convention; to observe all its provisions with the most scrupulous fidelity, in order to obtain the actual occupation and possession of the whole country.

As far as I could perceive, there was but one impediment in the way, and that was, that Great Britain, in order to prevent us from obtaining possession by settlement, might give notice herself to terminate the convention of joint occupancy. But of this I entertained but little apprehension. I had read the correspondence of former negotiations with attention, and my inference was, that she placed but little value on Oregon, as a place for a permanent settlement, and that she had, in a great measure, made up her mind, from its geographical position, that it would ultimately pass into our hands. But be this as it may, I could not but see that there were great impediments in her way of giving such notice, as would preclude us from the right of settling. She has, indeed, the same right to terminate the convention of 1827 that we have, as it is expressly provided that either may give it. But there is another convention which she claims to be still in existence, and to which we, holding under Spain, are parties with her. I refer to the Nootka Sound

convention. It is strictly analogous with that of 1827, though dissimilar in its language. But unlike the latter, it contains no provision for giving notice, and can only be annulled by violation. Under it, we, according to her own showing, have equal rights with herself to joint occupancy and settlement, of which we cannot be deprived on the ground on which she places her rights to the territory, without a breach of faith.

It seemed then to me clear, that our true policy was such as I have stated; to adhere to the convention, and let settlement determine to whom the territory should belong;—affording in the mean time whatever facilities we might think proper to our people emigrating to the territory, not inconsistent with the provisions of the convention, and extending our laws over them in like manner, and to the same extent that Great Britain had by an act of Parliament. To me it seemed clear that we ought not to go beyond, and that we should by no means extend our laws over it territorially. The necessary effects of this would be to extend our tariff acts to the territory, under an express provision of the constitution, which requires that all duties and taxes shall be laid uniformly throughout the United States. The restrictions imposed by our high tariff duties, on the infant commerce of the territory, would go far, not only to diminish the inducement to emigration, but to alienate the affections of its people. To enjoy the blessings of free trade over the broad Pacific, with its numerous islands and widely-extended coast, will prove, in the end, to be the strongest inducement to emigration; and to impose high duties, would do more to check emigration, to alienate its inhabitants, and separate them from our Union, than any other cause. Oregon will be to the Pacific what New England was to the Atlantic in its colonial state; and its people will contend as earnestly for the unrestricted enjoyment of the trade of the Pacific as the New Englanders did for that of the Atlantic before the Rev-

olution. It was, indeed, one of the principal causes which led to the Revolution. Should we restrict, by our high tariff duties, their infant trade, they might readily find a power prepared to extend to them all the advantages of free trade, to be followed by consequences not difficult to be perceived. Influenced by these considerations, I came to the conclusion that our true policy was to let our people emigrate and govern themselves for the present, with as little interference as possible on our part. In this respect they possess great capacity from their origin and their native instincts. I would let them go there and settle the country in their own way, giving them all the aid, countenance, and support which we could, without extending our authority over them territorially, until it could be properly and safely done. But, be it done when it may, great judgment and caution will be required;—for there lies the great difficulty of reconciling the interest on the eastern side of the Rocky Mountains with that of the western side.

The other line of policy looked to the termination of the convention by giving notice and taking adverse possession of the territory. The bill of 1843, already alluded to, was intended as the first step. I opposed it, not only because I believed that some of its provisions violated the convention, but because I believed the course it indicated was highly impolitic. It seemed to me, indeed, to require little reflection to perceive that, if the bill should pass, and the policy it indicated be adopted, negotiation or war would necessarily follow; and that, if the former should be resorted to in the first instance to prevent war, it would terminate either in compromise or war. There could be no other result. Nor was it more difficult to perceive that, if the question was compromised, it must be on the basis of the 49th parallel. The past history of the affair,—the fact that it had been frequently offered by us substantially as an ultimatum, added to the fact that 49° was the boundary on this side of the

Rocky Mountains, left no doubt in my mind that, if settled by compromise, it must be on that basis. It is true that our offer heretofore on this basis had been rejected, and that it might thence be inferred that Great Britain could not accede to it consistently with her honor. I am not of that impression. Things have greatly changed since our offers were made and rejected by her. Then, the advantages under the convention were all in her favor; but now they have turned in favor of us. Then, our capacity to settle the country was small; but now, for reasons already stated, they are great; and what is far from being immaterial, this increased capacity to settle and colonize strengthens the foundation of our claims to the territory. The capacity to settle and colonize a contiguous open region, not capable of being settled or colonized by any other power, goes back to the original principles on which all claim to territory is founded.

Seeing that such would necessarily be the consequence of the line of policy indicated by the bill, and wishing to avoid both compromise and war, I took a decided stand against it. I was very ably seconded in my opposition; so much so that, notwithstanding the apparently large majority in its favor when the discussion commenced, it passed this body by an equivocal majority of one. I say equivocal, because one of the Senators felt himself constrained by accidental causes to vote for the measure, after he had avowed his opinion against it. Since then, session after session, measures have been introduced to give notice and extend our authority over the territory, with a view ultimately of taking possession of the whole. As anticipated, negotiation, in order to avoid war, followed; and now we are brought to the alternative of compromise or fighting, as ought to have been foreseen from the beginning. I again repeat, that I am in no way responsible for the present state of things; and if I am compelled in consequence to vote for compromise and notice, the responsibility rests on my friends behind me,

whose course has forced the Government into it by the line of policy they have pursued. I do not impeach their patriotism; but I cannot but think that they permitted their zeal in behalf of the territory, and the impatience of those they represent to occupy it, to get the control of their better judgment.

Having been thus brought, by the line of policy to which I was opposed, to choose between compromise and war, I, without hesitation, take the former. In making the choice, I am actuated by no unmanly fear of the consequences of war. I know that, in the existing state of the world, wars are necessary—that the most sacred regard for justice and equity, and the most cautious policy, cannot always prevent them. When war must come, I may appeal to my past history to prove that I shall not be found among those who may falter; but I shall take care never to contribute by my acts to precipitate the country into a war, when it can be fairly avoided. I am, on principle, opposed to war, and in favor of peace, because I regard peace as a positive good, and war as a positive evil. As a good, I shall ever cling to peace, so long as it can be preserved consistently with the safety and honor of the country; and as opposed to war, I shall ever resist it, so long as it may be resisted consistently with the same considerations. I am emphatically opposed to it in this case, because peace, in my opinion, can be preserved consistently with both, and war avoided without sacrificing either. I am opposed to it for the additional reason, that it would be, in my opinion, highly impolitic—a consideration never to be overlooked when a question of the kind is under consideration. I regard it as highly impolitic in this case, because I believe that, should we resort to it, we would lose, instead of securing, the two objects for which it would be avowedly declared, as I shall now proceed to show.

The first is, to secure what is claimed to be our rights to the whole of Oregon, under the cry of "*all of Oregon or*

none." Those who would go into it for that object will, in my opinion, find in the end that "*none*" is much more probable than "*all.*" In coming to this conclusion, I concede to my countrymen the highest bravery, energy, patriotism, and intelligence, which can be claimed for them. But these cannot overcome the great obstacles we would have to encounter, compared with what Great Britain would have in a contest for Oregon. As long as she has a large force in the East, and remains mistress of the Pacific, she will be able to place there a much more efficient force, and at far less expense, than we possibly can at present, which would there decide the contest in her favor.

But were it otherwise, from the nature of the contest, Oregon, though the cause of the war, would be speedily forgotten. The struggle once begun, would soon cease to be for Oregon. Higher and far more powerful motives would soon guide the contest. It would speedily become a struggle for mastery between the greatest power in the world on one side, against the most growing on the other. Actuated by all the feelings belonging to such a struggle, both sides would put forth all their vigor, energy and resources,—and, overlooking minor points, would aim to strike the most vulnerable,—and where each might have the greatest advantage, —leaving Oregon to be won or lost as the contingencies of so mighty a contest might decide.

The next object, as is alleged, is to protect our citizens in Oregon. What has just been said is enough to prove how utterly it must fail. Instead of protection, war would most certainly sacrifice them; and this is a strong reason, with me, for opposing it. I feel our obligation to protect them as citizens, and brethren, and kindred. We have encouraged them to emigrate, and I will not give a vote which, in my opinion, would abandon and ruin them. But what war would fail to effect, would be certainly accomplished by compromise on the line offered by the President. There are

none of our citizens, if I am correctly informed, settled north of 49°. Establish that line, and we at once give our citizens in Oregon peace and security, and with them full opportunity to realize their object in emigrating.

But passing from Oregon, I take broader ground, and oppose war for reasons looking to the whole. I see nothing to hope from war, be its result what it may. On the contrary, I believe that the most successful and triumphant war that could be waged—one in which all would be accomplished which its most extravagant advocate could dare hope for—in which we should conquer the Canadas, New Brunswick, and Nova Scotia—in which we should drive the British flag from the continent, and compel Great Britain to yield the whole by treaty, in the short space of ten years, would be disastrous to us. I allude not to its ravages or devastations—to the oceans of blood that must flow, and the manifold losses and miseries which would accompany the war. They are common to all wars ; but however vividly painted, they have but little effect in deterring a brave people from a resort to it. No doubt these inflictions would be very great in a contest between two nations of such immense power, and so situated as to be able to do each other the greatest harm in war and the greatest good in peace. But great as the devastation and destruction of life would be in such a struggle, they are of a nature to be speedily repaired on our side. The indomitable industry and enterprise of our people, with the great resources of the country, would soon repair the former, while our rapidly increasing population would speedily repair the latter. War has far heavier calamities for a free people than these, though less visible—calamities in their nature not easily remedied. I refer to permanent and dangerous social and political changes, which often follow in its train, in the character of the people and their institutions. A war between us and Great Britain, such as has been described, in which every

nerve and muscle on either side would be strained to the utmost, and every dollar put in requisition which could be commanded, could not fail, under present circumstances, to work most disastrous, and, I fear, incurable changes in the social condition of our people, and in their political institutions. To realize the consequences in this respect which must follow, it is necessary to look at the immense extent to which it would rage. It would, in all probability, prove a Mexican, and an Indian war, as well as a war with Great Britain; and as such would extend to every portion of our entire frontier, including the Atlantic and Pacific, the inland and exterior, constituting a circuit of probably not less than 7,000 miles. It would require, in order to conduct it with the energy necessary to bring it, in so short a time, to the successful termination supposed,—especially in a war for mastery,—immense exertions on land and water. Two navies—one on the Atlantic and the other on the lakes—and six or seven armies, would be required for the purpose, even on the supposition that Oregon would be abandoned. One army would be required on the Mexican frontier; and let no one sneer at the mention of such a power. Feeble as it now is, when paid and supported by British gold, and trained and commanded by British officers, Mexico would prove a formidable enemy. See what British skill and training have made of the feeble Sepoys. The Mexicans are a braver and a hardier people, and, what is no small point, would constitute the cheapest of all armies. There must be, in addition, one to guard the Gulf frontier; another to guard the southern; another the northern frontier on the Atlantic; another to assail the north-eastern frontier on the side of Nova Scotia and New Brunswick; and another to assail the Canadian; and, finally, another to protect our widely extended Indian frontier. All these, in so mighty a struggle against the greatest of all powers, putting forth her utmost strength, would require a force,

including the two navies, of not less, I would suppose, than 200,000 men continually in pay. The expense would be enormous. One of the most venerable and experienced of our citizens, Mr. Gallatin, has estimated it at sixty-five or seventy millions of dollars annually, if my memory serves me. My impression is that it falls far short of the actual cost, and that $100,000,000 would not be an over estimate. Supposing the sum of $50,000,000 could be annually raised by taxation,—a sum far greater than he estimates, and in my opinion much beyond what could be effected,—it would leave $50,000,000 annually to be raised by loans, or a forced paper circulation. Now, allowing the war to continue for ten years, there would be incurred a debt, in the time, of $500,000,000, according to these estimates. Even this, it is probable, would fall much short of the reality, assuming the sum stated to be annually required. It would be difficult to obtain loans in Europe; for owing to the conduct of some of the States in reference to repudiation, and other causes not necessary to state, the feeling of Europe would, I fear, be generally against us; while our own resources would not be sufficient to raise the sum required without a great depreciation of our credit, with a loss of 20, 30, or even 40 per cent., before the termination of the war, in contracting loans, or in consequence of the depreciation of our paper circulation. Including all, our public debt would, at the end of the struggle, be probably not less than six or seven hundred millions of dollars. But this is not all.

We would be plunged into the paper system as deeply as we were in the days of the Revolution; and would terminate the war with a mortgage of six or seven hundred millions of dollars on the labor of our people;—for on labor the whole must fall ultimately, while a large portion of this vast amount would go into the pockets of those who struck not a blow, nor lost a drop of blood in the contest, and who acquired their gains by seizing upon the distress of the Gov-

ernment to drive hard and usurious bargains. In addition, we should have the difficult task to perform of restoring to a sound state a greatly depreciated paper circulation, or of extricating ourselves from it whatever way we might—a task which cannot be performed without great distress to the country and ruinous effect to that large and usually the enterprising portion of the community, the debtors. The effects of all this would be highly injurious to the social relations of the people. A powerful artificial class would be created on one side, and a poor and dependent one on the other.

Nor would its effect on our political institutions be less disastrous. Such a war would obliterate the line of distinction, in a great measure, between the Federal and State Governments, by conferring on the former vastly increased power and influence. We would hear no more of State Rights. The Federal Government would then become a great national consolidated Government. Our very success would give a military impulse to the public mind and to the character of the Government which it would be hard, if possible, to overcome,—and which would seek conquest after conquest until a spirit would be engendered totally inconsistent with the genius of our system. It would then be in the straight and downward road, which leads to—where so many free States have terminated their career—a military despotism. In the mean time, we would have to provide for three or four successful generals, who would soon be competing for the Presidency; and before the generation which waged the war would have passed away, they might possibly witness a contest between hostile generals, for that supreme office,—a contest between him who might conquer Mexico, and him who might conquer Canada,—terminated by the sword.

I appeal to the gentlemen who are the warm advocates for "all of Oregon or none," regardless of this mighty hazard, and whose separation from us on this question I regret,

and solemnly put the question to them—Is it for you—you, who assume to be democrats *par excellence*—you who are the enemies of the paper system, and of all artificial classes in society—is it for you to support a course of policy which might lead to such disastrous consequences?

But I oppose war, not simply on the patriotic ground of a citizen looking to the freedom and prosperity of his own country, but on still broader grounds, as a friend of improvement, civilization, and progress. Viewed in reference to them, at no period has it ever been so desirable to preserve the general peace which now blesses the world. Never in its history has a period occurred so remarkable as that which has elapsed since the termination of the great war in Europe, with the battle of Waterloo, for the great advances made in all these particulars. Chemical and mechanical discoveries and inventions have multiplied beyond all former example,—adding, with their advance, to the comforts of life in a degree far greater and more universal than all that was ever known before. Civilization has, during the same period, spread its influence far and wide, and the general progress in knowledge, and its diffusion through all ranks of society, has outstripped all that has ever gone before it. The two great agents of the physical world have become subject to the will of man, and have been made subservient to his wants and enjoyments; I allude to steam and electricity, under whatever name the latter may be called. The former has overcome distance both on land and water, to an extent which former generations had not the least conception was possible. It has, in effect, reduced the Atlantic to half its former width, while, at the same time, it has added three-fold to the rapidity of intercourse by land. Within the same period, electricity, the greatest and most diffuse of all known physical agents, has been made the instrument for the transmission of thought, I will not say with the rapidity of lightning, but by lightning itself. Magic wires are

stretching themselves in all directions over the earth, and when their mystic meshes shall have been united and perfected, our globe itself will become endowed with sensitiveness,—so that whatever touches on any one point, will be instantly felt on every other. All these improvements—all this increasing civilization—all the progress now making, would be in a great measure arrested by a war between us and Great Britain. As great as it is, it is but the commencement—the dawn of a new civilization, more refined, more elevated, more intellectual, more moral, than the present and all preceding it. Shall it be we who shall incur the high responsibility of retarding its advance, and by such a war as this would be?

I am, in this connection, opposed to war between the United States and Great Britain. They are the two countries furthest in advance in this great career of improvement and amelioration of the condition of our race. They are, besides, the two most commercial,—and are diffusing, by their widely extended commerce, their blessings over the whole globe. We have been raised up by Providence for these great and noble purposes, and I trust we shall not fail to fulfil our high destiny. I am, besides, especially opposed to war with England at this time; because I hold that it is now to be decided whether we are to exist in future as friends or enemies. War, at this time, and for this cause, would decide supremacy;—we shall hereafter stand in the attitude of enemies. It would give birth to a struggle in which one or the other would have to succumb before it terminated; and which, in the end, might prove ruinous to both. On the contrary, if war can be avoided, powerful causes are now in operation, calculated to cement and secure a lasting—I hope a perpetual peace between the two countries, by breaking down the barriers which impede their commerce, and thereby uniting them more closely by a vastly enlarged commercial intercourse, equally beneficial to both.

If we should now succeed in setting the example of free trade between us, it would force all other civilized countries to follow it in the end. The consequence would be, to diffuse a prosperity greater and more universal than can be well conceived, and to unite by bonds of mutual interest the people of all countries. But in advocating the cause of free trade, I am actuated not less by the political consequences likely to flow from it, than the advantages to be derived from it in an economical point of view. I regard it in the dispensation of Providence as one of the great means of ushering in the happy period foretold by inspired prophets and poets, when war should be no more.

I am finally opposed to war, because peace—peace is pre-eminently our policy. There may be nations, restricted to small territories, hemmed in on all sides, so situated that war may be necessary to their greatness. Such is not our case. Providence has given us an inheritance stretching across the entire continent, from East to West, from ocean to ocean, and from North to South, covering by far the greater and better part of its temperate zone. It comprises a region not only of vast extent, but abundant in all resources; excellent in climate; fertile and exuberant in soil; capable of sustaining, in the plentiful enjoyment of all the necessaries of life, a population of ten times our present number. Our great mission, as a people, is to occupy this vast domain; to replenish it with an intelligent, virtuous, and industrious population; to convert the forests into cultivated fields; to drain the swamps and morasses, and cover them with rich harvests; to build up cities, towns, and villages in every direction, and to unite the whole by the most rapid intercourse between all the parts. War would but impede the fulfilment of this high mission, by absorbing the means and diverting the energies which would be devoted to the purpose. On the contrary, secure peace, and time, under the guidance of a sagacious and cautious policy, "a

wise and masterly inactivity," will speedily accomplish the whole. I venture to say "a wise and masterly inactivity," in despite of the attempt to cast ridicule upon the expression. Those who have made the attempt would seem to confound such inactivity with mere inaction. Nothing can be more unlike. They are as wide apart as the poles. The one is the offspring of indolence, or ignorance, or indifference. The other is the result of the profoundest sagacity and wisdom,—a sagacity which looks into the operations of the great causes in the physical, moral, and political world; which, by their incessant operation, are ever changing the condition of nations for good or evil; and wisdom, which knows how to use and direct them when acting favorably, by slight touches, to facilitate their progress, and by removing impediments which might thwart or impede their course—and not least, to wait patiently for the fruits of their operation. He who does not understand the difference between such inactivity and mere inaction—the doing of nothing—is still in the horn-book of politics, without a glimpse of those higher elements of statesmanship by which a country is elevated to greatness and prosperity. Time is operating in our favor with a power never before exerted in favor of any other people. It is our great friend; and under the guidance of such a policy, it will accomplish all that we can desire. Our population is now increasing at the rate of about 600,000 annually,—and is progressing with increased rapidity every year. It will average, if not impeded, nearly a million during the next twenty-five years; at the end of which period our population ought to reach to upwards of forty millions. With this vast increase, it is rolling westwardly with a strong and deep current, and will by the end of that period, have spread from ocean to ocean. Its course is irresistible. The coast of the Pacific will then be probably as densely populated, and as thickly studded with towns and villages, in proportion to its capacity to sustain population,

as that of the Atlantic now is. At the same rate, we shall have increased to upwards of 80,000,000 of people at the end of another twenty-five years; when, with one foot on the Atlantic and the other on the Pacific, and occupying a position between the eastern and the western coasts of the old continent, we shall be better able to control the commerce of both oceans, and to exert an influence over both continents, than any other country in the world. If we avoid war, and adhere to peace, all this will be effected—effected, I trust, without the loss of our free popular institutions. I am aware how difficult is the task to preserve free institutions over so wide a space, and so immense a population; but we are blessed with a constitution admirably calculated to accomplish it. Its elastic power is unequalled,—which is to be attributed to its federal character. The hope of success depends on preserving that feature in its full perfection, and adhering to peace as our policy. War may make us great; but let it never be forgotten that peace only can make us both great and free.

With a few remarks relating to myself personally, I shall conclude. I have been charged with being more strongly inclined to secure the annexation of Texas, than our rights to Oregon. It has been attributed to my greater partiality to the South than to the West. But I am yet to learn why Texas should be considered as belonging to the South rather than to the West. I always thought that it formed a part, and not an unimportant part, of the valley of the Mississippi; and on that account, as well as for giving greater security to the Southern portion of the valley, the West desired its annexation. Besides, I have yet to learn that Texas is confined to a southern latitude. I had supposed that it extended far north and west, up to the latitude of 42° in the neighborhood of the great pass of the Rocky Mountains, on which the value of Oregon to us so much depends. I had supposed that what are called the

Southern States had not so direct and deep an interest in its annexation as the West; but it would seem, from language held on this occasion, that, in all this I was mistaken, and that the annexation of Texas was purely a Southern question, and only supported by the West under the expectation of obtaining in return the support of the South to the whole of Oregon up to 54° 40′, and, if necessary, at the certain hazard of a war.

But, passing by all this, and assuming that Texas was purely a Southern, and Oregon a Western question, I repel the charge of partiality, and shall now proceed to show that, if a different line of policy was pursued by me in reference to the two, it was because it was right and proper it should be. I treated both questions in the manner best calculated to effect the object in view, and indeed the only one by which both could be secured. The circumstances of the two cases were entirely different. In the case of Texas, time was against us,—in that of Oregon, time was with us; and hence the difference in my course of policy in reference to them. To understand the difference it is necessary to premise, that Texas had reached that period in her history when it was clear that she would be compelled to form intimate and dependent relations either with us or England, if she continued independent. But it was manifest, if left alone, without any movement on our part, that her connection must be with England and not with us. She could extend to Texas commercial advantages far greater than we possibly could; and afford her greater facilities in obtaining means to relieve her from her great pecuniary embarrassments. England saw this, and had actually commenced her movements to avail herself of its advantages. We, too, perceived it; and also that annexation afforded the only means of counteracting her movements, and preventing Texas from being placed exclusively under her control. In this emergency, I was called to the State Department, with a view of taking charge of the

pending negotiation for annexation. I saw that the time had arrived when immediate and decided action was required; that time was against us, and that, to resist the effects of its operation, boldness and decision were indispensable. I acted accordingly, and success proved the soundness of my policy. It was not a case for masterly inactivity. Not so the case of Oregon,—where time was with us;—and hence the different line of policy which I adopted in reference to it, and which would have secured the whole, had my advice been followed, as has been explained.

In one particular my policy was the same in both cases. I aimed in each to avoid war and preserve peace. I clearly perceived that, in annexing Texas, there was no danger of a war with England, if managed judiciously. She was an independent state, and had been so acknowledged by England, France, and other powers. She had a right, as such, to dispose of herself, and to unite her destinies with ours, if she saw proper, without any right on the part of England to resist it, or ground or pretext to make war in consequence. I also perceived that there were no just grounds to apprehend a Mexican war in consequence. She was not in a condition to make war, without the aid of England, and there was no reason to apprehend that she would be aided or countenanced in it by the latter; unless, indeed, the Oregon question should terminate in a war between us and her,—in which event, I regarded a Mexican war as inevitable, as has been stated. Thus far my anticipations have been realized—Texas annexed, and peace preserved, by the policy which I pursued. A different line of policy—one which would have permitted England to obtain the ascendency over Texas, which she would have acquired without annexation,—would have inevitably led to a state of things, involving us and England finally in war. It would have been impossible to prevent feelings of jealousy and enmity from growing up between us and Texas. The very similarity of our character and pursuits,

and the rivalry which they would give birth to, would necessarily lead to that result; while the long and ill-defined boundary between the two countries, extending for more than a thousand miles through forests, prairies, and navigable rivers, without a natural boundary in any part, would produce frequent collisions between our people and those of Texas. Controversies and conflicts would have been the result. Texas, as the weaker power, would throw herself upon Great Britain for support; and wars, frequent and bloody wars, between us and her would have followed. Annexation has fortunately removed these causes of war. Should the Oregon controversy terminate in peace, every cause of war between the two countries would be removed, leaving the prospect of lasting peace between them.

REMARKS

On the Bill making alterations in the Pay Department of the Army, &c.; made in the Senate, May 14th, 1846.

[Mr. Dix, in calling up the Bill, having explained briefly its provisions, an incidental discussion arose on the power of removal, in which various Senators participated. Among these, Mr. Sevier, of Arkansas, animadverted, with some warmth, on the course of parties, at the commencement of every new administration, in regard to the question of removal. In the course of his remarks, he referred to the practice under the administration of Mr. Tyler,—implicating Mr. Calhoun, as a member of the cabinet. We copy a portion of the debate, in order to present the views of Mr. C.—as well as to preserve documents which may be of use to the future historian.]

Mr. Calhoun rose to say, that when he went into the Department of State, under Mr. Tyler, he was in entire

ignorance of the practice spoken of. He knew nothing about it; and had always been opposed to the practices charged upon Mr. Tyler in regard to removals. He condemned it as much in him as any other, and the Senator from Arkansas was one of the last on that floor from whom he would expect such a charge to come.

[Mr. Sevier made a few remarks; among the rest, he observed that Mr. Tyler continued to make removals down to the very last day he was in office.]

Mr. Calhoun again arose, and reminded the Senator from Arkansas, that he (Mr. C.) had already condemned the practice. Mr. Tyler was in the habit of making his own removals and appointments, and was told by him (Mr. C.) that it was a new and unwarranted practice, and one to which, had he been a new member of the administration, he would not consent.

[Mr. Morehead asked permission to make one remark. He (Mr. M.), as a member of his committee, had occasion to be up occasionally at the State Department during Mr. Tyler's administration, and happened to know something of the views of the honorable Senator from South Carolina (Mr. Calhoun), and he remembered the opinions expressed then to him by the honorable Senator were exactly the same with those expressed on that occasion to the Senate.

Mr. Sevier then went on to say, that in making the remarks he had made, he supposed the action of the Executive was the action of all parts of it. He referred to no particular person—not to the Senator from South Carolina, but to the administration of which he formed a part. He said again, that the subject of removals was a general subject of remark. When a new party came into power, they had the old story that was begun in 1789, renewed in 1833, and continued in 1836, and so on down till the present. He thought, however, that the Democrats had consistency on their side to say nothing about it in 1841.

After some further remarks from Mr. Sevier, Mr. Webster rose and said:—

The few observations which had been made to-day on the bill by him, whether right or wrong, were not intended to apply to any individual. The honorable Senator from Arkansas would do him the justice to say that he (Mr. W.) did not impute to any administration, or the whole succession of administrations, any thing in the nature of a charge of having carried the practice of removal from office further than their predecessors or successors. The Senator would admit, he was sure, that the remarks he submitted were devoid of all personality. And now he would take occasion to say, that it was not like the answer of a statesman to what he (Mr. W.) had advanced, for the gentleman to say that the administration in which he (Mr. W.) had borne a part had done so. Suppose that to be true. Why, if the administration, of which he might happen to think very well, in some respects at least, had been induced to follow a bad practice, that was only a stronger reason why the practice should be put an end to. No reason had been shown why an individual in a subordinate situation in an administration ought to be held responsible for its policy. But, perhaps, there was another remark which he might make with all respect. The administration to which the gentleman referred—he should have said, perhaps that administration did make some changes in office not altogether disagreeable to the gentleman himself,—

Mr. Sevier. Certainly; and I stood by him to the last.

Mr. Webster. And the honorable gentleman had good reason for it. But it was said that the opposite doctrine to that of removal led to life-holders of office, &c. Far, far otherwise was the whole truth. This Government recognized no life officers but judges, and they were subject to the qualifications of good behavior, of course. The independence of the Judiciary Department was supposed, by those who framed the constitution, best secured by giving an independent tenure of office; and, however the opinion may have changed in certain parts of the country, it was certainly still the established one within the bounds of the old thirteen States. They borrowed it from the English law, about the accession of George I. In the bill which, in 1836, passed the Senate, and to which he had referred, it was not proposed, after the lapse of so many years, to oppose the construction which enables the President to remove from office. The object of the bill introduced by the honorable Senator from South Carolina, and which he then had before him, was as he had stated, and he would refer to it as it was short.

"A BILL to repeal the first and second portions of an 'Act to limit the term of office of certain officers therein named, and for other purposes,' approved the fifteenth of May, one thousand eight hundred and twenty, and for other purposes.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first and second sections of an act entitled 'An act to limit the term of office of certain officers therein named, and for other purposes,' approved the fifteenth of May, one thousand eight hundred and twenty, shall be, and the same hereby are, repealed.

"SEC. 2. *And be it further enacted*, That in the first week of the month of January next, and at the same time in every fourth year thereafter, the President shall cause a statement to be laid before Congress of the accounts of all district attorneys, collectors of customs, naval officers, and surveyors of the customs, navy agents, receivers of public moneys for lands, surveyors of the public lands, and paymasters in the army, who shall have failed to account for all such moneys, on or before the thirtieth day of September preceding; and the offices held by all such defaulting officers shall be vacated from and after the date of said message.

"SEC. 3. *And be it further enacted*, That in all nominations made by the President to the Senate, to fill vacancies occasioned by the exercise of the President's power to remove the said officers mentioned in the second section of this bill, the fact of the removal shall be stated to the Senate at the same time that the nomination is made, with a statement of the reasons for which such officer may have been removed."

And how did that bill pass? by a party vote? Why that bill was not introduced at the commencement of an administration, but in 1836, the last year of the Jackson administration of eight years. As to the manner of its passage, a reference to the journal would be evidence on that point:—

"YEAS.—Messrs. Bell, Benton, Bibb, Black, Calhoun, Clay, Clayton, Ewing, Frelinghuysen, Goldsborough, Kent, King of Georgia, Leigh, McKean, Mangum, Moore, Naudain, Poindexter, Porter, Prentiss, Preston, Robbins, Silsbee, Smith, Southard, Swift, Tomlinson, Tyler, Waggaman, Webster, and White—31.

"NAYS.—Messrs. Brown, Buchanan, Cuthbert, Hendrick, Hill, Kane, King of Alabama, Knight, Linn, Morris, Robinson, Ruggles, Shipley Talmadge, Tipton, and Wright—16."

MR. SEVIER. I wish you would read it again, sir.

Mr. Webster replied he would; and accordingly read a statement of the vote on the occasion referred to, which he said showed thirty-one Whigs for, to sixteen against, the bill; and, strange to say, he could not see the name of the Senator from Arkansas among the yeas at all. Now that was no party proceeding; the votes given on it were not given for party purposes. It was the judgment of the Senate that some regulation should be made in the Executive power of removal; and that opinion was founded upon the conviction that Congress could regulate the removing power:—and who could doubt it? Because, except where the constitution does not prescribe the tenure of office, it belongs to Congress to do so. He repeated, then, that the act of 1836, passed by two-thirds of the Senate, was no party proceeding whatever;—a bill by which these propositions were affirmed: first, that Congress might regulate removal from office by law; secondly, that at that time, in 1836, such had been the history of parties, and such had been the inconvenience growing out of the practice, it was thought expedient to repeal the provisions of the law of 1820, and assume the regulation of the business of removal from office.]

Mr. Calhoun again arose, and after complaining of the reiteration, by the Senator of Arkansas, of a charge which he (Mr. C.) had explicitly corrected him in before, and hoping he would not repeat what was false, went on to say that the great and fundamental difference between the popular and anti-popular parties related to Executive patronage. He had always supposed that men anxious to preserve a popular government were disposed to limit it to the smallest amount consistent with efficiency. Now he would ask, whether it would be more favorable for the Executive to possess at all times and use the unbounded power of removal? That was the simple question. Was the President not to have it to be used for good cause—such as death and resignation,—which could afford ample room for new appointments? But he would go further, and say, that the doctrine that a man in office had under his control its whole patronage, went to make a king. Every one knew that such a state of things would be a succession of struggles between the *ins* and *outs*;

and the ins being armed with power, would maintain and perpetuate that power. Every gentleman conversant with the history of popular government knew this; and yet there were found in this body gentlemen proclaiming as democratic doctrine directly the opposite.

[After some remarks from Messrs. Mangum, Johnson, Huntington, Woodbridge, Benton, and Breese,—Mr. Calhoun again rose and said:]

This question may be viewed in two aspects: first, as to the mere disbursement of the public money; and secondly, in regard to its political bearing. As regards the first, the great, and in fact the only security is the three months' law, requiring the disbursing officers to close their accounts at the end of every three months. I speak from some experience of the working of this law. During my connection with the administration of the Government, I never knew it to fail in effecting its object. As regards the political bearing of this matter, I concur entirely in the opinions expressed by the honorable Senator from North Carolina. This law has contributed more largely to work a revolution in the Government of the United States than any other law ever passed. To go back to the beginning;—there was, originally, a controversy whether the removing power belonged to the President of the United States or not; and, after a long discussion, it was decided to be incidental to the Executive —in my opinion, a most erroneous decision, and fraught with great mischief. During that discussion—if my memory serves me right—Mr. Madison expressed the opinion that the removal of a meritorious officer not guilty of any neglect of duty, by the Executive, would be an impeachable offence. Substantially, that was acted upon till a very late period; and the overthrow of that principle, to use the expression of the Senator from North Carolina, has laid the foundation of the "spoils system;" for it was a much more easy thing, after the expiration of four years, to drop an

officer and send another to his place, than to turn him out. From that, the principle has extended and extended till, literally, our Government has become a government of spoils. Your presidential elections are governed by it, and it has conducted this Government in the downward road to ruin. The evil tendency of this principle has been often described on the floor of Congress. It has come to this, that every four years there is a revolution of parties in the United States. You make an expenditure, annually, say of $25,000,000, and in the four years of $100,000,000. This is a vast sum in the hands of the Executive; and, on the spoils principle, it becomes a great prize to be obtained at every Presidential election. Now, the officeholders have the greatest interest to maintain their position;—and those who desire office, on the other hand, have the strongest motives to struggle hard in getting a President. Thus the Presidential election becomes a conflict between these two parties—those out of office being the most numerous, prove the strongest, and the office expectants defeat the officeholders. A system of conflict is thus produced utterly destructive of every sound political principle, and of all political integrity. We could not do a wiser thing than to put an end to it. The first step to cure the evil is to assume the power abandoned improperly. The power of removal is a congressional power, to be regulated by law. Not that Congress have the power, but they have the right to regulate it by law. This is not a new idea of mine. In 1835 or 1836,—I think it was in 1836,—I moved a committee to take into consideration the subject of Executive patronage. One of my recommendations was to put an end to this four years' law. If it be desirable to remove every four years, say so. If it be desirable that the accounts should be closed every four years, and the officer should be turned out, say so; and you will get to the commencement of the putting down of a system which, if you do not put down, it will put you down.

[Mr. Webster said: I have no disposition to make any remarks on the particular question before the Senate, as confined to it. But the occasion does revive the recollection of that which was done in the Senate in 1836, to which the honorable member from South Carolina has just now alluded, and in which I took some part. A bill passed the Senate, if I remember, on that occasion, the effect and object of which was to reduce the influence of the Government of the United States divisible and divided habitually for the exercise of the appointing power. That occasion led to a discussion historical and argumentative, as to the original question of the removing power of the President. Upon the consideration of that subject, I came to a perfect conclusion, or a conclusion perfectly satisfactory to myself, that the original rule adopted by the legislature under their construction of the constitution was erroneous. The first decision upon that subject was made in this body, in the year 1789, upon the law providing for the appointment of the Secretary of the Treasury. The bill as it was before the Senate, provided that the Secretary of the Treasury should be removed, or removable at the will of the President. The question was much discussed, and it was finally decided in favor of retaining the clause, as I remember, by the casting vote of the president of the Senate, the Vice-President of the United States, John Adams. Mr. Madison led the debate on the same subject in the other House, and came to the conclusion, in his speech which was reported by himself, principally upon the ground of the necessity of giving this power to the President, to be acted upon on an emergency, and for great and obvious public ends and purposes. It was in that discussion, if I mistake not, Mr. Madison expressed the sentiment to which the honorable member from South Carolina has alluded—that any president who should remove from office a meritorious officer guilty of no negligence or misconduct, but merely on political grounds, would be worthy of impeachment. Now, pressed by what seemed to be the necessity of the case, and relying on the integrity, uprightness, and high honor of the President of the United States through all times, Mr. Madison yielded to what appeared to him an argument of necessity; and the two Houses of Congress did recognize the existence of a power of removal in the President, although the power of appointment was conferred by the constitution not on the President solely, but on the President with the consent and advice of the Senate. In this way that early decision did, in point of fact, introduce an entire anomaly, because I suppose that

there is no other government on the face of the earth,—no regular government, in which the power of appointment subsists or exists in one body or in one organization; and the power of removal at pleasure in another. I find nowhere in constitutional history—I know no form of government, except in this country, in which the power of removal is not considered as part and parcel of the power of appointment. If a governor, or a president, or the head of a government, under whatever name or title, have authority to appoint to office, and the officer shall hold at the will and pleasure of the appointing power, why then the removal of one man is effected by the appointment of another, and there is no separate process of removal. That makes the great incongruity—I had almost said absurdity—of our course of procedure. There is no record kept in this Government of removals from office. How do we act here every day? The President sends us here a nomination of A B, collector of New-York in the place of C D, "removed." When was C D "removed?" He receives no notice till his successor comes with his commission to take his place. The nomination is not here supposed to create a vacancy. C D goes on, and exercises the functions of his office till his successor comes. Sir, I know that after the discussion here in 1836, upon the passage through the Senate of the bill to which I have referred, persons of great eminence, who never had had their attention turned to the subject before, were fully of opinion that the original construction of the constitution was wrong, and that the bill, if I remember its provisions, required that whenever removals were made by the President, he should specify the cause of that removal to the Senate. And I remember very well the history of the bill of 1820. I believe it originated in the Senate, and that it was advocated by two very distinguished gentlemen (neither of them now living)—both men of eminence in their day—one from Rhode Island (Mr. ———)—and the other from the State of Maine (Mr. Holmes). They acted upon the ground of giving more responsibility, of providing for greater accuracy and promptitude in the settlement of the accounts of disbursing officers. But they did not take a political view of the question at all. They never dreamed of the great expansion they were giving to the Executive patronage of the Chief Magistrate of the country. And what has been the effect of the operation of this law? When the term of service of a worthy and meritorious public officer expires, not only is it not considered to be unfair or improper to appoint him a successor in some other person;

but it is considered not unfair or improper to turn him out, provided a decent man be put in his place. Now we all know that this is the unhappy state in which this progress of things has presented this question to the country. To me it seems to be a very lamentable state of things—a state of things having a very pernicious tendency, and likely to lead to that constant contest—that constant succession of contests for political power which is stimulated and exerted more by personal motives than by considerations of public policy and general interest. Now I suppose, taking it for granted that there will always be parties existing in free and popular governments, all wise and sensible men will admit that it is of great importance to the public interests that so far as possible, these parties should divide upon principle and upon measures, and act upon men, and patronage, and private objects. In other words, I suppose every sensible man will admit that the less of personal motive which enters into any one of our elections the better for the country. Now, my objection to the law of 1820 is, and always has been, that it influences personal feeling—augments personal motives—or that it brings persons into the arena of the contest by hundreds and hundreds of thousands, stimulated by personal objects—to hold office for personal purposes, or to obtain office for personal purposes. Sir, early in the session I suggested to an honorable friend from Virginia, when conversing on this subject, that it was my purpose during the session to revive the bill which passed the Senate in 1836, and to bring the subject again before the consideration of the Senate and the other House of Congress, if I could—at any rate to bring it before the country. There is not any fact or circumstance of more evil omen existing amongst us than the great facility which this four-year law practice of removal gives to the Executive Government for the increase of his influence, and the stimulation of the motives to popular agitation for mere personal purposes.

Mr. J. M. Clayton said: I desire to say that I have examined this subject; and, in my judgment, the honorable Senator from South Carolina has hit the true remedy—the regulation by law of the power of removal from office; and I think I can easily show that that power exists in Congress, and that its exercise will not in any degree conflict with the decision made in 1789, to which the honorable Senator from Massachusetts has referred. It is true, as he says, that the decision of that day was, that the President must exercise a power of removal, and had the right to remove the Secretary of the Treasury from office.

That decision was made by the Congress of 1789, upon full debate, and it was in the course of that debate that Mr. Madison took a prominent and leading part. It is not saying too much that, for the reasons assigned by Mr. Madison, the decision was made. In order to understand the effect, full extent, and precise meaning of the decision, then, we must look to the argument which led Congress at that day to make it. Whoever takes the pains, as I have done, to examine that matter, will be satisfied that the whole foundation on which Congress then acted was this: that the constitution of the United States gave the President the power to see that the laws of the United States were properly executed. It was upon that construction—and a very latitudinarian construction it was—given to that single clause of the constitution, that the Congress of 1789 decided that the President had this power of removal. From no other cause, and on no other foundation, was the decision given. All that was said of the necessity of removals from this, that, and the other office, for this or that cause—all was concentred in this one great argument: it was necessary to remove the officer, because it was necessary to see that the laws were properly executed. It was necessary to remove a traitor from office, because it was necessary that the laws should be properly executed. Now, let us look at the remedy of the Senator from South Carolina—not at all conflicting with the decision of 1789. He proposes to regulate by law the exercise of the power of removal. That is the only remedy. You can resort to this in the other branch of Congress—to any tribunal which may be specified by law; and the President then in exercise of power to see that the law is faithfully executed, is bound to see that the law, in this respect, is faithfully executed. The remedy I had the honor to suggest many years ago was coincident with this. I think that a law might be passed, remedying, to a great extent, this evil, the existence of which no one denies. The law might provide that during the recess of Congress the President might exercise the power of removal, each case to be submitted to the Congress of the United States in executive session after the removal was made. The whole subject of the control of the removing power would thus be vested where I think it ought to be vested—in the representatives of the sovereign States of this Union. I have never been able to perceive the slightest difficulty in the way of carrying out the suggestion made this day by the Senator from South Carolina. I think it ought to be carried out; and

when any such proposition may be made, I stand here ready to give it my earnest support.

Mr. Allen here addressed the Senate at great length. After the conclusion of his speech,]

Mr. Calhoun made a short explanation, and referred to a report made in 1836, to show that it was the true democratic doctrine he was contending for. Acting on this principle (said Mr. C.), a large mass of society enter into politics as a mere mode of obtaining a livelihood. When I affirm that already as many persons live upon the expenditures of this Government, as the half of the great population engaged in the cultivation of the cotton lands, the extent of the evil may be imagined. The income of the Government is almost equal to half of all the income derived from cotton property. Now, we know what a large mass of our population is engaged in the cultivation of cotton;—and yet, through the action of this Government, as many persons are living upon the public revenue. But this is not all. Put the half of the income of the cotton property into a lottery, to be drawn every four years: so many men will go into that lottery in hopes of drawing a prize, that when the victory is achieved, not one in forty can be rewarded. What is the result? The thirty-nine disappointed, and who fought only for the "spoils," turn round in process of time—when political degeneracy takes place, as it will—to the other side, and seek the next turn of the wheel when another lottery is drawn. Thus they go on. Can any wise man—can any patriotic man—can any genuine friend of human liberty, look at such a spectacle without the most poignant regret? He must be little informed, indeed, in politics who does not know all this; and knowing all this, he will be asserting one of the most untrue and monstrous propositions on the face of God's earth, who says that this is a "popular doctrine." What! "a popular doctrine?" This a "popular doctrine?" It is the very reverse. It is the doctrine to create a king, and to an-

nihilate liberty. As for myself, I have maintained on this subject an uniform position. When the act of 1820 was passed, it passed through Congress without my knowledge. The moment I heard of its passage, I pronounced to a friend that that law was one of the most dangerous ever passed, and that it would work a great revolution. I have always stood upon that ground; and yet I know that this position is not a popular position. But I speak the truth when the truth ought to be spoken. The Presidential election is no longer a struggle for great principles, but only a great struggle as to who shall have the spoils of office. Look at the machinery? A convention nominates the President,—in which, not unfrequently, many of the representatives of the States join in a general understanding to divide the offices amongst themselves and their friends. And thus they make a President who has no voice at all in the selection of officers! These things are known; and I say it is surprising that, being known, gentlemen who advocate the opposite doctrine assume to be democratic. No. The democratic doctrine is precisely the reverse of what they affect to teach. It goes against patronage and influence, and gives no more patronage than what the strict necessity of the case requires. Patronage wisely and judiciously dispensed on the part of the Executive, may have a salutary effect in giving concentration and strength to the Government; but this wholesale traffic in public office for party purposes is wholly pernicious and destructive of popular rights. Properly applied the policy is admirable; but as soon as the Government becomes the mere creature of seekers of office, your free institutions are nearly at an end. In this matter I have been uniform and sincere—whether right or wrong, time will disclose. But the evil has commenced. It is going on. It needs no prophet to foresee the end. I speak not in the language of prophecy; but who, judging

from the past, can avoid the conviction that unless the proper remedy be applied, the overthrow of your political system is inevitable?

SPEECH

On the Bill making further appropriation to bring the existing war with Mexico to a speedy and honorable conclusion, called "The Three Million Bill;" delivered in the Senate, February 9th, 1847.

[The Bill making further appropriation to bring the existing war with Mexico to a speedy and honorable conclusion being under consideration,—]

Mr. Calhoun rose, and thus addressed the Senate: Never, Mr. President, since I have been on the stage of action, has our country been placed in a more critical situation than at present. We are not only in the midst of a very difficult and a very expensive war, but we are involved in a domestic question of the most irritating and dangerous character. They both claim our serious and deliberate consideration, and I trust that before this session closes, late as it is, they will both receive a full discussion. It is due to our constituents that the actual state of things in reference to both should be fully understood. For the present, I propose to consider the question which is more immediately pressing,—How shall the war be conducted to bring it most advantageously to a successful termination? Or, to express it a little more fully,—How shall it be conducted to enable us most advantageously to effect all the objects for which it was made? For it is only by effecting those objects that the war can be properly said to be successful.

There are two ways in which the war may be conducted. The one is, to push on offensive operations until Mexico is compelled to yield to our terms. The other, to take a defensive position, and to maintain and secure the possession of the country already in our military occupation. The question which I propose to consider is,—Which of these two plans of operation ought to be selected? It is a grave question—in my opinion, next in importance only to the war itself. I have given it my deliberate consideration, and the result to which I have come is,—that we ought to choose the defensive position. I shall now proceed to state the reasons upon which this conclusion is founded.

I believe it is the policy best calculated to bring the war advantageously to a successful termination; or, to express it more fully and explicitly—for I wish to be fully comprehended on this important question—to bring it with *certainty* to a successful termination, and that with the least sacrifice of men and money, and with the least hazard of disastrous consequences, and loss of standing and reputation to the country. If I rightly understand the objects for which the war was declared, I feel a deep conviction that, by assuming a defensive attitude, all of them may be effected. I say, if I rightly understand; for, strange as it may seem, those objects, even at this late day, are left to inference. There is no document in which they are distinctly enumerated and set forth by the Government, and, of course, they can only be ascertained by viewing the messages of the President in reference to the war, in connection with the acts of Congress recognizing its existence, or for carrying it on. I have examined them,—and particularly the message of the President to Congress, recommending that Congress should make war,—for the purpose of discovering the objects for which it was made,—and the result is, they appear to have been threefold: first, to repel invasion; next, to establish the Rio del Norte as the western boundary

of Texas; and thirdly, to obtain indemnity for the claims of our citizens against Mexico. The first two appear to me to be the primary, and the last only the secondary object of the war. The President, in his messages, did not recommend Congress to declare war. No. He assumed that war already existed, and called upon Congress to recognize its existence. He affirmed that the country had been invaded, and American blood spilt upon American soil. This assumption was based on the position that the Rio del Norte was the western boundary of Texas, and that the Mexicans had crossed that boundary to the American side of the river. This he affirmed was an invasion of our territory.

The act of Congress reiterated the declaration that war had been made by the Republic of Mexico, and thus recognized the Rio del Norte as the western boundary of Mexico, and the crossing of that river by the Mexicans as an act of invasion. Hence, both the Executive and Legislative branches of this Government are committed to the fact that the Rio del Norte is the western boundary of Texas, and that crossing it was an invasion on the part of the Mexicans. To repel the invasion, and establish the boundary, were then clearly the primary objects of the war; but, having got into the war, the President recommends it to be prosecuted for the other object I have mentioned—that is to say, indemnity for our citizens—a recommendation, in my opinion, proper; for while we are engaged in war all the differences between the two countries ought, if possible, to be settled. These appear to me to be the objects of the war. Conquest is expressly disavowed, and, therefore, constitutes none of its objects. The President, in addition, recommends that we shall prosecute the war, in order to obtain indemnity for its expenses; but that, in no sense, can be considered as one of its objects, but a mere question of policy: for it can never be supposed that a country would enter upon a war for the mere purpose of being indemnified for its cost.

I hold, then, Mr. President—such being the objects of the war—that all of them can be accomplished by taking a defensive position. Two have already been thoroughly effected. The enemy has been repelled by two brilliant victories. The Rio del Norte is held, from its mouth to its extreme source, on the eastern side, by ourselves. Not a Mexican soldier is to be found there. As to the question of indemnity to our citizens, such has been the success of our arms that we have not only acquired enough for that, but vastly more,—even to comprehend, great as they already are, the expenses of the war, if it should be judged to be a wise and just policy on our part to make Mexico responsible for them. Here arises the question, Shall we hold the line we now occupy, and which we cover by our military forces—comprehending two-thirds of the whole of Mexico,—embracing the valley of the Rio del Norte on the west side, as far as the Sierra Madre, and on the north to the southern limits of Lower and Upper California and New Mexico—shall we hold all this, or shall we select some other position better calculated for the object in view? I am not prepared to discuss this point. I have not the requisite information; and if I had, it would not be necessary, with the object I have in view. What I propose to discuss, in the absence of such information, is,—What considerations ought to govern us in selecting a defensive line? These must be deducted from the objects intended to be effected by taking a defensive position.

The first and leading consideration that ought to govern should be, to select a line that would fully accomplish the objects to be effected in making the war; avoiding the appearance, however, of taking any portion of the country on the mere principle of a war of conquest. But what may be required in reference to this consideration may be enlarged by the others I will now proceed to state.

The first and most important of them is,—that in se-

lecting a defensive line, it should be such as to possess, in the greatest degree, such natural advantages as would require the smallest sacrifice of men and money to defend it; and among others, such as would afford every facility for drawing promptly supplies of men and provisions from the adjoining country. The next consideration in making the selection is, —that the country covered by it should be convenient and desirable for us to possess, if, in the ultimate adjustment of the difference between us and Mexico, it should become the established boundary of the two countries. I go further, and add,—that it should be such as would deprive Mexico in the smallest possible degree of her resources and her strength; for, in aiming to do justice to ourselves in establishing the line, we ought, in my opinion, to inflict the least possible amount of injury on Mexico. I hold, indeed, that we ought to be just and liberal to her. Not only because she is our neighbor; not only because she is a sister republic; not only because she is emulous now, in the midst of all her difficulties, and has ever been, to imitate our example by establishing a federal republic; not only because she is one of the two greatest powers on this continent of all the States that have grown out of the provinces formerly belonging to Spain and Portugal;—though these are high considerations, which every American ought to feel, and which every generous and sympathetic heart would feel, yet there are others which refer more immediately to ourselves. The course of policy which we ought to pursue in regard to Mexico is one of the greatest problems in our foreign relations. Our true policy, in my opinion, is, not to weaken or humble her; on the contrary, it is our interest to see her strong, and respectable, and capable of sustaining all the relations that ought to exist between independent nations. I hold that there is a mysterious connection between the fate of this country and that of Mexico; so much so, that her independence and capability of sustaining herself are almost as

essential to our prosperity, and the maintenance of our institutions as they are to hers. Mexico is to us the forbidden fruit; the penalty of eating it would be to subject our institutions to political death.

The next consideration is,—that the line should be such, in the event of its being ultimately established between us, as would lead to a permanent peace between the two countries; and, finally, that it should be such as would lead to as speedy a peace as possible, and for this purpose it should be eminently coercive. Neither of these requires any illustration.

Such being the considerations that ought to govern us in selecting a defensive line, the next question is,—What line would best fulfil them? and here again, I am not prepared to pronounce definitively. It requires a more exact knowledge of the country than I possess or can derive from any of the maps, all of which, there is reason to believe, are more or less imperfect; but while I do not feel myself prepared to pronounce definitively, I am prepared to suggest a line, which, in my opinion, to a very great extent, will fulfil most of these considerations; and what recommends it more strongly to me is the fact, that it is, substantially, the one which the Executive, as I infer from the declaration of the Chairman of the Committee on Foreign Relations, contemplates establishing even in the event of a successful offensive war. The line to which I refer is the following: Beginning at the mouth of the Rio del Norte, and continuing up the same to the Paso del Norte, or southern boundary of New Mexico, about the thirty-second degree of north latitude,—and thence due west to the Gulf of California, which it would strike, according to the maps, nearly at its head,—and thence down the gulf to the ocean.

I now propose to turn back and compare this line, with the considerations which I have laid down, as those which ought to govern in selecting a defensive line. It will secure

all the objects for which the war was declared. It will establish the Del Norte as the western boundary of Texas throughout its whole extent, from its mouth to its source; it will give us ample means of indemnity, even if the cost of the war itself should be deemed proper to be included in the indemnity, which, as at present advised, I am far from being disposed to countenance. The next consideration is, that the line should be such as would involve in its maintenance the least sacrifice of men and money. In reference to this, the one suggested has great advantages. In the first place, on its east side, the Del Norte would constitute the line,—a broad, rapid, and navigable stream, of which we would have the entire command,—and, in the next, it would be near to the settled parts of Texas, from whence, in an emergency, the forces and the means of supply necessary for its defence might be promptly derived. The whole extent of this portion of the line is less than four hundred miles, measured on the map. I have consulted the opinions of military men of judgment and experience, in reference to its defence, and they inform me that three forts properly located;—one not far from the mouth of the Del Norte,—another somewhere near Camargo,—and a third at the Paso del Norte, properly constructed, and garrisoned with a suitable force,—would be sufficient for its defence. The fort at the Paso del Norte would, from its position, not only defend the river itself, but protect New Mexico, by commanding the only passage through which the Mexicans could invade it. Four regiments would be ample to garrison the forts, after the first year, when they would be completed.

The other portion of the line, extending from the Paso del Norte to the Gulf of California, and thence through the gulf to the Pacific Ocean, would be still more easily defended. The part which extends from the mountains that border New Mexico on the west, and which separates the waters of the Del Norte from those which fall into the Col-

orado and the Gulf of California, passes through a country inhabited on both sides by Indian tribes through its whole extent, and requires neither men nor forts for its defence. It is in length about three hundred and fifty miles. The residue is covered by the Gulf of California. A few small vessels, which could be furnished under the peace establishment, with a single regiment, would be ample for its defence, and the protection of California. Hence, five regiments, with a small naval force, supported by the contiguous population, would be sufficient for the defence of the whole line against any force which Mexico could bring against it.

The next point to consider is,—What would be the expense of maintaining this force, in addition to what the peace establishment would require? On this, too, I have consulted officers of experience, and they are of opinion that two and a half millions of dollars annually would be sufficient.

The next consideration is, that the country to be covered should be convenient and desirable to be held by us, if, as has been stated, on the settlement of our differences with Mexico, the line should be established as the permanent boundary. And here again it possesses striking advantages. It is contiguous to us. It has, on its eastern side, the Rio del Norte as the boundary between it and Texas, and on its northern, the southern boundary of Oregon, through its whole extent. But what makes it still more desirable, and what is of vastly more importance to us, is the very circumstance which makes it of little value to Mexico, as it regards its strength or resources; and that is, that it is almost literally an uninhabited country. It covers an area of 600,000 square miles, with a population of less than 100,000, of all complexions and all descriptions, being but one inhabitant to each six miles square. It is indeed as sparsely settled, and even more so, than the country in the possession of the neighboring Indians. It is this very sparseness of population

which renders it desirable to us; for if we had the choice of two regions of equal extent, and in other respects equally desirable, the one inhabited and the other not, we would choose the uninhabited, if we consulted the genius of our government and the preservation of our political institutions. What we want is space for our growing population—and what we ought to avoid is, the addition of other population, of a character not suited to our institutions. We want room to grow. We are increasing at the rate of 600,000 annually, and in a short time the increase will be at the rate of 1,000,000. To state it more strongly,—we double once in twenty-three years; so that at the end of that period we will number forty millions, and in another twenty-three years, eighty millions, if no disaster befall us. For this rapidly growing population, all the territory we now possess, and even that which we might acquire, would in the course of a few generations be needed. It is better for our people and institutions, that our population should not be too much compressed.

But the very reasons which make it so desirable to us, make it of little advantage to Mexico. Her population is nearly stationary, and will, at her present rate of increase, within the period I have specified as that within which our population will have twice doubled, be but a few millions more than at present. Indeed, so far from being valuable to Mexico, it is directly the opposite; a burden and a loss to her. It is, in the first place, exceedingly remote from her. California is as far from the city of Mexico as it is from New Orleans, and New Mexico is not much nearer to it than it is to Washington. They are both too remote to be defended by so weak a power. It is a remarkable fact in the history of this continent, that the aborigines in this and in the adjacent portions of Mexico, encroach upon the European occupants. The Indians are actually gaining ground upon the Mexicans; not but that the latter are brave and capable of defending themselves with arms, but the jealousy of the central

government had in a great measure disarmed them, while from its feebleness and remoteness, it is incapable of affording them protection. It is said that there are not less than three or four thousand captives from New Mexico and the neighboring States, in the hands of the Indians. Such being the state of things, it is manifest that, while the acquisition would be of great importance to us, it would, instead of being a loss to the Mexicans, be a positive gain. The possession by our people would protect the whole of the adjacent portions of Mexico from the incursions and ravages of the Indians, and give it a greater degree of security and prosperity than it ever has experienced from the commencement of her revolutions—now more than a quarter of a century ago.

The next consideration is, that the line should be such, if it should be established as a boundary, as would lay the foundation of a permanent peace between us and Mexico; and here again it has remarkable advantages. It is impossible for us to prevent our growing population from passing into an uninhabited country, where the power of the owners is not sufficient to keep them out. In they will go. We may pass laws heaping penalty upon penalty, but they will be of no avail to prevent our pioneers from forcing themselves into the country, unless efficiently resisted by the power in possession. Of this we have abundant proof from experience in our relations with the Indians. Many and severe laws have been passed to prevent intrusion upon them, with little effect. In the end, the only remedy has been found to be, to purchase their lands, and remove them to a greater distance. If such is the case with the Indians, where the population is more dense, and our means of preventing intrusion much greater, it would be vain to expect that we could prevent our people from penetrating into California,—or that the government of Mexico would be able to prevent their doing so. Even before our present difficulties with Mexico, the process had begun. Under such circumstances, to make

peace with Mexico without acquiring a considerable portion, at least, of this uninhabited region, would lay the foundation of new troubles and subject us to the hazard of further conflicts—a result equally undesirable to Mexico and ourselves. But it is not only in reference to a permanent peace with Mexico that it is desirable that this vast uninhabited region should pass into our possession. High considerations connected with civilization and commerce, make it no less so. We alone can people it with an industrious and civilized race, which can develope its resources, and add a new and extensive region to the domain of commerce and civilization. Left as it is, it must remain for generations an uninhabited and barren waste.

This brings me to the final consideration—that the line should be such as to cover an extent, ample for the purpose of coercing a settlement; and, in this respect, the one suggested leaves nothing to be desired.

But while I suggest this as a definite line, if a better cannot be found, it would be very far from my views to hold the country which it covers absolutely. My opinion is, that it ought to be held as the means of negotiation. We ought to say to Mexico, that such is our intention, and that if she is ready to negotiate, we are; and not only to negotiate, but to settle fairly, justly, liberally, and with a view to a permanent peace between the two countries; and if, for that purpose, the part held by us should be considered more than an indemnity, to pay liberally for the balance.

But in order to render the means of coercion more effectual, I would hold, not absolutely, but also subject to negotiation, the ports of Mexico now in our possession, and which we could retain without too great a sacrifice of men and money. These ports I would open to the commerce of all countries, subject to a rate of duty that would barely cover the expense of maintaining the line.

I have now fully shown that we may certainly maintain

this line, and thereby accomplish all the objects for which the war was declared,—and this with little or no sacrifice of men or money, and without hazard or loss of reputation; and I may add, with a fair prospect of laying a foundation for a permanent peace between us and Mexico, on the final settlement of the differences between us. What would be its fruits? A speedy reduction of a large portion of the expenses of the war, by discharging the whole of the volunteers as soon as a defensive position is taken, which may be in the course of a few months. It would make a saving of fifteen or twenty millions of dollars during the year; the necessity for additional taxes would be avoided; credit would be immediately restored; a considerable portion of the loan might be dispensed with; and last, though not least, a measure which many of us on this side the chamber have so much at heart, I mean that of free trade, would be rescued from great and impending danger. The short experience we have had of its operation holds out the prospect of almost unbounded prosperity to the country; not so much in consequence of the reduction of our own duties, as that made by Great Britain, which has opened her ample market for grain and other provisions of every description.

But it may be objected to the policy, that with all its benefits, it would not bring peace. I think otherwise. What reason would Mexico have for holding out? None that I can perceive. On the contrary, she would see that we had undertaken to do what we could certainly perform—what our strength was abundantly adequate to go through with, without hazard or difficulty. She would also see that she had every thing to lose and nothing to gain by holding out, and that if she obstinately persisted in refusing to treat, she might lose the territory covered by our line, without compensation, instead of being liberally paid for its value beyond full indemnity for our claims against her.

But there are other and powerful reasons which would

induce her to come to terms. By assuming a defensive position, and ceasing to push offensive operations against her, the feelings of the people of Mexico would in a short time undergo a great change. They now regard the war as a war between races and religions; and thus regarding it, they are under the excitement of the strongest and the profoundest feelings of our nature. Every nerve is braced, and every arm strengthened in resistance to us. The resolution of the whole country is to oppose us to the utmost of their power and resources. A defensive attitude on our part would tend powerfully to abate these deeply excited feelings. The war would no longer be regarded as a war of races and religions. They would no longer dread the extinction of one or the other. The ordinary every-day business of life would gradually absorb their attention. Add to this the effect which the possession of their ports would have upon their finances, by cutting off the most prolific branch of their revenue, and there would seem to be fair grounds for believing that, within a short period, much shorter probably than could be effected by offensive operations, she would be ready to negotiate, and settle the differences between the two countries by a permanent peace. But, suppose in all this I am mistaken, and that Mexico will persist in holding out with her characteristic obstinacy, what would be the result? We will have war without expense or hazard—a war partaking much more of the character of peace than of war, so far as we are concerned. Our population would flow into the territory covered by our defensive line, and enable us to reduce the military establishment which would be necessary in the first instance. Above all, it will once again place us on *terra firma*, and enable us to see beyond the dark curtain which is now suspended between us and the future.

I have now stated the reasons why I am in favor of taking a defensive position. I have, I trust, shown that we can, by it, bring the war to a successful termination, with

little or no sacrifice of men and money, and without hazard of any description whatever. It remains to be shown, what are the grounds of my opposition to the continuance of an offensive war, and if I am not greatly mistaken, they are as strong as can well be conceived. I am opposed to it, for the very reverse reasons to those I have stated. There is no certainty, in the first place, that it will bring the war to a successful termination; and in the next, if it should, it would be at a vast expense of men and money, and with no inconsiderable hazard of disastrous consequences, and loss of national reputation.

In order to understand fully and correctly the force of the objection to continuing and pushing offensive operations, it is indispensable that the object *intended* to be effected should be distinctly and clearly perceived, for until that is understood, we can form no decisive opinion in reference to it; and here I premise, that its object is not conquest, or the acquisition of territory, for that is expressly disavowed. I further premise, that it is not to acquire additional means of indemnity,—for I have already shown that we have ample means now in our hands to effect that purpose. If then it is for neither the one nor the other, I ask what is its object? But one answer is given,—to obtain peace; or, to use the language most commonly employed, to conquer peace. But how is peace to be obtained? It can only be by treaty. War may be made by one nation, but peace can only be made by two. The object then is to obtain a treaty; but what treaty? one that will suit Mexico? That can be obtained at any time. No, the treaty which is wanted is one that will suit us; but how can this be effected, but by compelling Mexico, by force of our arms, *and at our dictation*, to agree to such terms as we may dictate; and what could these terms be, but to secure all the objects for which the war was declared; that is, as has been shown, to establish

the Rio del Norte as our western boundary, and to obtain ample territory as the only means of our indemnity?

The intention, then, is to compel Mexico to acknowledge that to be ours which we now hold, and can, as I have already shown, easily hold, without her consent. This is all —more or less cannot be made of it. But how is Mexico to be compelled to sign such a treaty? We are informed that, for that purpose, the intention, in the first place, is to take Vera Cruz, and the Castle of San Juan de Ulloa, and then to march to the city of Mexico, and there to dictate the treaty. Now, with this object in view, I ask the Senate, Is it worth while to pursue a vigorous war to compel Mexico to acknowledge that to be ours, which we hold, and can easily hold, against her consent? Is it worth while, even if we were perfectly certain of complete success by taking Vera Cruz and marching to Mexico, and there dictating a treaty at the end of this campaign? What would be the sacrifice, in effecting this, of men and money? The army authorized to be raised is about 70,000 men, and the expense of the campaign may be put at $30,000,000. It will probably exceed it by several millions, but I desire to be moderate. Suppose the active force in the field be 50,000 men, what then will be your sacrifice under this supposition? The loss of $30,000,000. And what the sacrifice of life will be, may be judged of by looking at the past. One-third must be put down as certain to perish, not by the sword only, but by disease. Sixteen thousand lives then must be sacrificed. Now, I put it home to you, Senators.—Is it worth while to make this immense sacrifice of money and men for the mere purpose of obtaining the consent of Mexico to hold what we can so easily hold in despite of her? I put a graver question. I appeal to the conscience of every Senator who hears me, can you, as a Christian, justify giving a vote that would lead to such results? Nay, is there one of you, who

would give $30,000,000, and sacrifice the lives of 16,000 of our people, for the two Californias and New Mexico? I answer for you, there is not one; and yet we propose to pursue a war, which, if terminated in a single campaign, and most fortunately, would lead to these sacrifices.

But is there any certainty our forces would reach Mexico by the end of this campaign; or, if they did, that a treaty could be dictated? These are the questions that next demand our serious consideration.

An offensive war, such as we propose to carry on, looks, as a possible event, ultimately to subduing the country. Viewing it in that aspect, the war is but barely commenced. It is true we have acquired two-thirds of the territory of Mexico, but let it be remembered, these two-thirds are adjacent to us; let it also be remembered that it is sparsely populated. To give a vivid conception of its extent, the portion of Mexico held by us is almost 100,000 square miles more than the whole extent of the magnificent valley of the Mississippi, embracing the entire region between the Alleghany and Rocky Mountains. But although such is the immense extent of the territory, there are but six or seven hundred thousand inhabitants scattered over its surface.

It is this adjacent country, thus sparsely inhabited, which we have overrun, and now hold by military occupation. We have met, in conquering it, but little resistance, except from the regular army of Mexico, and as yet have gained, in reality, but little in a military point of view. Instead of conciliating the inhabitants they are reported to be more hostile than ever, and not an inconsiderable portion of our army will be required to hold and defend the country we occupy. As yet we have scarcely approached Mexico proper, consisting of the elevated plain on which the city of Mexico stands, and the hot regions extending on the east, along the Gulf of Mexico to Yucatan, and along the borders of the Pacific and the Gulf of California, on the west. Within these com-

paratively narrow limits, consisting of one-third of all Mexico, there are at least seven millions of people, fully ten times as many as the portion of Mexico we occupy. Here, too, is the seat of her wealth, and power, and civilization. The character of the country, and its climate, present formidable obstacles to an invading army. The approaches to the table land are few, passing through narrow defiles, and up steep acclivities, and the region itself is mountainous and rough in the extreme. It may be compared, in a military point of view, to Mount Atlas, in Africa, or the Caucasus, in Europe. To this may be added a scanty supply of food for men, and forage for horses, of an invading army. The climate of the hot regions, both on the Pacific and on the gulf, is extremely sickly, especially that of the gulf, to which our military operations in reference to the city of Mexico will be directed. Perhaps there is none on earth more so. It may be said to be the native home of the yellow fever, one of the most terrific of diseases. It prevails during eight months every year, and not unfrequently during ten months; and what adds to the difficulty in the way of an invading army, is the prevalence of sudden and violent storms, during the period of the year when the fever does not prevail. April itself is a sickly month, and March doubtful. We are now near the middle of February, and may have in the field force sufficient to take Vera Cruz; but I appeal to all sides, have we force enough, or can we have force enough in time to avoid the vomito, and march to the city of Mexico during this campaign? I will not say we have not, but I say with confidence, that there is no certainty that we have or will have sufficient for such an enterprise.

But if we fail to reach the city this campaign, what will be its effects? We shall be worse off than we now are; a year will be lost; Mexico will be encouraged, and we discouraged; she will add to her fortifications and defences, and

increase her supplies of arms, in which she is now especially deficient.

But suppose we should be so fortunate as to be able to reach the city of Mexico? Is there any certainty that we should be able to dictate a treaty such as we desire? With whom have we to deal? A race of people renowned above all others for their obstinacy, and the pertinacity of resistance —a people whose hereditary pride is, that they rescued their country when overrun by the Moors, after a war of seven or eight centuries—a people who for eighty years waged war for the maintenance of their dominion over the Low Countries—a people who for twenty years carried on the war against her own colonies, before they would recognize their independence. Such are the people with whom we are contending; and is it certain that such a people will be compelled, by our occupying the city of Mexico, to yield to our terms? We must remember that the city is not to Mexico what Paris is to France; on the contrary, all her internal struggles, with almost no exception, prove that the city of Mexico, in a military point of view, has very little control over the country.

But, if there be no certainty either that we can reach Mexico, or reaching it, can compel her to yield to our terms; we may have another campaign before the war can be concluded, by what is called vigorous measures; and here the question presents itself, Shall we have the means—can we raise the men and money to carry on the third campaign? Remember, it must be much more costly, and require a greater force than what is required for the approaching campaign. It will be carried on at a greater distance from us, and every step as we advance will require a larger detached force to occupy and cover our rear. Bear in mind also, that it will be of a different character from either the past or the approaching campaign; for if we conquer the city without obtaining peace, one of two results will follow,—her govern-

ment will withdraw or be dispersed,—and we shall, in either case, be compelled to subdue and hold the country in military subjection. In either case, we shall have a guerilla war, such as now exists between France and the Arabs in Africa, and between Russia and the Circassians in the Caucasus. Shall we be able to raise the men and the revenue which will be required to carry on the extensive military operations incident to such a war? Can you rely upon raising volunteers? Will not the first flush of feeling which accompanies the commencement of a war, and which leads to the spirit of volunteering, expire by the commencement of the third campaign? Is it not probable, that the many volunteers who will return with broken constitutions—who went for glory, but returned with shattered health—will greatly discourage the ardor of volunteering, strong as the impulse is in the breasts of our young and patriotic countrymen? The probability is, that we must mainly rely for men on the ordinary process of recruiting; and can we certainly calculate, in that way, to raise fifteen or twenty thousand men for the third campaign,—for that number at least will be required?

But, suppose this surmounted, a far more difficult question presents itself; Can you raise the ways and means? The resources from treasury notes will have been exhausted, and we shall have to resort to loans and taxes as our only means. Can you borrow a sufficient amount to meet the demands of the campaign, probably not less than twenty-five or thirty millions of dollars, but at an enormous rate of interest? Can you impose taxes to a great amount? On what will you lay them? On imports? The duties on them may be increased, but to no great amount; additional duties on many of the articles would diminish instead of increasing the revenue. Will you lay direct or internal taxes? The resources of the country are great, beyond almost any other, but there are two circumstances which will interpose to prevent their being reached. The first is, that many of

the States are deeply in debt, and have imposed very onerous taxes to meet their own obligations. Can you impose additional taxes without greatly overburdening the people of those States. Remember, that by the constitution, all taxes must be uniform throughout the United States, and of course, what is imposed upon one must be equally imposed on the other. Will the people of the indebted States bear additional taxes? Will Pennsylvania, with 40,000,000 already on her shoulders? Will the imposition not compel her and other of the indebted States to suspend the payment of interest on their debts? Will it not prevent Maryland, Indiana, and other States deeply in debt, from the resumption of the payment of interest on theirs? Will not the effect be to widen the sphere of repudiation, so as to comprehend most of the indebted States? Is there the slightest chance, with this prospect before us, that internal taxes to any considerable amount will be imposed by Congress for the further prosecution of an offensive war? Can any one answer in the affirmative, who has witnessed the strong indisposition to impose additional taxes at the present session?

But suppose this difficulty, interposed by the indebtedness of many of the States, to be removed? There is another still remaining, not less formidable. Is there sufficient unanimity and zeal in favor of the war to warrant the belief that Congress would impose internal taxes to carry on offensive operations? Does this session furnish any evidence of any such zeal or unanimity? On the contrary, does it not furnish ample evidence that there is great division and want of zeal in reference to the war? We would be blind not to see that a very large portion of the people honestly believe that the war might and ought to have been avoided; that it was commenced by the Executive without the sanction of Congress or the Constitution, and that it is highly inexpedient and injurious. What my opinions are on all these points I would be glad to explain on a suitable occasion; but

I do not regard this to be the proper one, to mingle my own private views and sentiments in reference to the cause of the war, and the manner in which it was commenced, with the deeply important subject under consideration—how the war shall be conducted, so as to terminate it most favorably to the country.

But suppose all these difficulties to be removed, there remains another still deeper and more alarming to be met—one touching the very foundation of our Union; How shall the territory be disposed of if any should be acquired? Shall it be for the benefit of one part of the Union to the exclusion of the other? We are told,—and I fear that appearances justify it,—that all parties in the non-slaveholding States are united in the determination that they shall have the exclusive benefit and monopoly—that such provisions shall be made by treaty or law, as to exclude all who hold slaves in the South from emigrating with their property into the acquired country. If the non-slaveholding States having no other interest but an aversion to our domestic institutions (for such is slavery as it exists in the South),—if, I repeat, they can come to the conclusion, to exclude the South from all benefit in the acquired territory, with no other interest but that, I turn to their representatives on this floor and ask them, what they suppose must be the feeling of the slaveholding States, to whom this question is one of safety and not of mere policy, to be deprived of their rights, and their perfect equality secured by the constitution, and to be assailed in their most vulnerable point? Be assured, if there be stern determination on one side to exclude us, there will be determination still sterner on ours, not to be excluded.

Now if I may judge from what has been declared on this floor, from what I hear on all sides, the members from the non-slaveholding States, if they were sure that slavery would not be excluded from the acquired territory, would be decidedly opposed to what they call a vigorous prosecution

of the war, or the acquisition of a single foot of territory. Can they then believe that the members of the slaveholding States, on the opposite supposition, would not be equally opposed to the further prosecution of the war and the acquisition of territory? And how can this war be vigorously carried on for a third campaign, with this known pointed division of opinion between these two great portions of the Union as to the ultimate disposition to be made of the territory to be acquired?

But, I will suppose that all these difficulties are surmounted—that men and money may be had, and that unanimity and zeal existed on all points—the question then presents itself, Can you, should you not obtain peace in the city of Mexico,—can you bring this war to a successful termination by subduing the country? Can you certainly—not probably? This is the question. Look at the history of such wars carried on by powerful and highly civilized nations against others poor and less civilized, in mountainous regions like Mexico—the wars of Russia against the Caucasians, and the war of France against the Arabs in Algeria—and take warning. In both there has been powerful and effective resistance against the best troops in Europe, under the lead of their most experienced generals. And are we to expect to subdue the country without encountering like difficulties? Are you certain that you will not, and that the war will be brought to a termination at the end of the third campaign? that you can effect in a single campaign what has cost France already in Algeria, sixteen—and has cost Russia in the Caucasus, I know not how many? And it may be added, which cost us against a paltry band of Indians in Florida, five campaigns and $30,000,000 of dollars? Well then, if we are not certain; this war may go on, if offensive operations are to be continued, to the fourth, fifth, sixth, seventh, and I know not what number of campaigns. I say may, for the mere possibility ought to be sufficient to deter a wise people

from a policy which would lead to such disastrous results, as would a long and protracted war, in attempting to subdue Mexico, and where especially so little is to be gained. What can we gain, if success should finally crown our efforts, by subduing the country? What would we do with it? Shall we annex the States of Mexico to our Union? Can we incorporate a people so dissimilar in every respect—so little qualified for free and popular government—without certain destruction to our political institutions? Or can we bring into our Union 8,000,000 of people all professing one religion, and all concentrated under a powerful and wealthy priesthood, without subjecting the country to the most violent religious conflict, and bringing the Government in the end under control of a single sect? No. These difficulties are insurmountable. The question then recurs, What shall we do with the country? Shall we hold it as a subject province? Consequences not less fatal will result from this disposition of it. It would end in the loss of liberty, as it ever has, where free States undertake to hold in subjection extended provinces. The process would be short and easy. It would be followed by enormous patronage, and that again by a corresponding increase of the power and influence of the Executive, and end finally in despotism, by making that department absolute. Such would be the inevitable results, if you should undertake either to incorporate them into the Union, or to hold them as subject provinces;—unless, indeed, the stern conflict between the slaveholding and non-slaveholding States, as to the disposition to be made of the territory, should give a different turn to the conquest, and terminate the whole in a disruption of the Union.

But if the dread of these results should determine us to abandon, after we had subdued it, what we shall acquire by a further prosecution of the war,—as we certainly would, if we acted wisely,—how strongly it would illustrate the folly of what is called a vigorous prosecution of the war. It would,

on that supposition, leave us, as far as the acquisition of territory is concerned, after all our mighty sacrifices, and the hazards and disasters to which we may be exposed, where we now stand, and where we may stand and maintain ourselves with perfect certainty, with little or no sacrifice of men and money, and without any hazard of disastrous consequences.

We would be fortunate, among these sacrifices, to escape without an appalling loss of human life, and an immense burden in the shape of a public debt, to be followed by a permanent and irretrievable loss of free trade, for generations to come; to say nothing of the disastrous consequences which the vastly-increased patronage of the Government may have upon our free institutions, and the loss of reputation and standing as a government and a people, should we, after putting forth all our efforts to subdue the country in a vigorous war, be baffled in the attempt.

When I said there was a mysterious connection between the fate of our country and that of Mexico, I had reference to the great fact that we stood in such relation to her that we could make no disposition of Mexico, as a subject or conquered nation, that would not prove disastrous to us; nor could we conquer and subdue her without great sacrifice and injurious effects to our institutions.

Hence my opinion, already expressed, that it is our true policy not to weaken or humble her, but to desire to see her under a safe and stable government, and capable of sustaining all the relations which ought to exist between independent nations. Situated as the two countries are to each other, my conviction is deep that the prosperity of each, and the maintenance of free and popular institutions on the part of both, depend greatly upon our pursuing towards her a just and liberal course of policy. In this view I hold this war to have been a great departure from our true line of policy, and, therefore, deeply to be deplored. Should we be

so unfortunate now as to commit the error of determining to prosecute offensive operations vigorously, instead of taking a defensive position, we shall take a step which, I fear, we shall long have to rue. Thus thinking, I regard it a paramount question—party is nothing to it; but, let me say to whatever party may advise it, that they stake their fate upon a cast which may end in their overthrow and ruin,—to say nothing of the higher consideration of disasters to the country, on which I have so fully dwelt.

There is but one way of escape, as far as I am capable of seeing, and that I have suggested. I might say much more to enforce its adoption, but forbear consuming the further time of the Senate. The way I have suggested is not the result of recent reflection, for I have long looked upon the subject with intense interest. Nor is it the first time I have suggested it in my place. During the last session, in a discussion while our doors were closed, on the bill appropriating two millions of dollars for a like object, I suggested, but more briefly, the same plan of policy as the most advisable course, and the only one, as far as I could see, likely soon to bring the war to a certain and successful termination.

With a few observations in reference to myself, I shall close my remarks. I shall feel myself compelled, as the Senate will readily perceive from what I have said, to vote against the amendment of the Senator from Michigan. In reference to that amendment, and the bill itself, I reserve an expression of opinion until I see further developments, both as to the course of policy intended to be pursued in conducting the war, and the great domestic question to which I have alluded. My vote may depend upon developments as to both.

SPEECH

In reply to Mr. Turney of Tennessee, delivered in the Senate, February 12th, 1847.

MR. CALHOUN. If the Senator speaks of me as an aspirant for the Presidency, he is entirely mistaken. I am no aspirant—never have been. I would not turn on my heel for the Presidency; and he has uttered a libel upon me,—

[THE PRESIDENT. The honorable Senator must be aware that—(the remainder of the sentence was lost).]

MR. CALHOUN. If he supposes that I am capable of voting upon any question with reference to the Presidency, or any other consideration but a regard to truth, justice, and my country. No, Sir. The whole volume of my life shows me to be above that. There are men, Mr. President, who cannot believe that an individual is influenced by any other than party considerations or presidential elections, and who attribute all motives to one or other of these; and I am the most misunderstood man in the world by that portion of this and every other party. No, Sir; I want no Presidency; I want to do my duty. No denunciations here, or out of this House, can deflect me a single inch from going directly at what I aim,—and that is, the good of the country. I have always acted upon it,—and I will always act upon it. If he means to say that there is any organized opposition here,—as far as I am concerned, or my friends,—which affects the votes here, irrespective of public duty and conviction, never, never was a man more mistaken—never! And I think it will be very hard for him, or any other Senator here, to specify a single measure that we have either delayed or defeated that is necessary to the conducting of the war.

Now, I ask him—I pause, and ask him,—if he can point to a single one?

[MR. TURNEY. I will try when you get through.]

MR. CALHOUN. No, Sir, no! Not a single one. I voted several times for adjournment with gentlemen on the other side, when I considered that adjournment was proper; but I have no concert with them,—no more than I have with those on this side. Mr. President, in thus acting without concert, I performed my duty. What we want, above all things on earth in our public men, is independence. It is one great defect in the character of the public men of America, that there is that real want of independence; and, in this respect, a most marked contrast exists between public men in this country and in Great Britain. But this is not the proper occasion on which that difference is to be pointed out; but I will say, that it is in part the wretched system of caucusing, which has created in every State a party of men who work in concert to get offices for the purpose of plunder, and who exercise too great a control over the measures of Congress. I am glad the Senator thought proper to refer to me in this pointed manner. I have seen these insinuations in various quarters, and in different presses; but they are to me as nothing. If I know myself—if my head was at stake, I would do my duty, be the consequence what it might. Sir, they could not urge me upon this war. Why so? I hope upon some occasion I shall have an opportunity to state the reasons more in detail. But, amongst other reasons, I saw in this very war what every man now begins to see—consequences which deterred me. And we are not at the bottom yet. I stood upon the occasion alone, separated from my respected and esteemed colleague (Mr. McDuffie). I voted here in my seat against it; and can he (Mr. Turney) suppose that I was governed by the paltry

and miserable consideration of being President of the United States? The position is respectable; but there are other positions infinitely more so. I would rather be an independent Senator, governed by my own views, going for the good of the country, uncontrolled by any thing which mortal man can bring to bear upon me, than to be President of the United States,—put there as Presidents of the United States have been for many years past.

[Here Mr. Turney made some remarks; after which Mr. C. again rose and said:—]

I am really obliged to the gentleman from Tennessee for giving me an opportunity to repel a great many insinuations which I have seen upon this very subject, and the endeavor to fix upon myself and friends the responsibility of which he has spoken. He has got up and made a grave charge,—that there was, on this side of the House, a party combined together, in reference to Presidential elections, who controlled all measures with an eye to that. I have already denied that I was any candidate for the Presidency. I appeal to every friend—to my friends upon this floor, upon either side of the House, and to every one in the State of South Carolina—if my whole course of conduct has not been this: that I would not accept the Presidency unless it comes to me by the voice of the American people; and then only from a sense of duty, and as an obligation. At my time of life the Presidency is nothing; and for many a long year, Mr. President, I have aspired to an object far higher than the Presidency—that is, doing my duty—under all circumtances—in every trial, irrespective of parties, and without regard to friendships or enmities—but simply in reference to the prosperity of the country. If my life be reviewed hereafter, I leave to those who may review it the settlement of this question. What charge has he made out against myself and the few of my friends who voted with me during the present

session? Where has he shown that we have rejected or abandoned any measures connected with the conduct of this war? One single act only, and that is, not voting for the proposition for a lieutenant-general. Now, Mr. President, on this we need no apology. That vote needs no defence. If the American people have been unanimous on any one subject, they have been on that. Now this is only one act, and I am happy that here, in my place, in the presence of this large audience, I have an opportunity to repel this charge, so that the whole truth may go forth in regard to it. But not a single other vote can be shown on which to rest this charge. For if there had been another, it would have been added to the long catalogue which the Senator from Tennessee has drawn up against me upon other and irrelevant subjects. But there is another, which he suspects. He suspects that I will not vote for the Three Million Bill; and that because I said, when I spoke on the subject, I waited further developments. Was there any thing, Mr. President, in that?—was the Senator ignorant that a proposition had been made in the other House, and probably would be made here, to stick the Wilmot proviso on it? I put it to him—I put it to Senators on both sides who represent Southern portions of the Union—whether he or any of them will vote for the bill if that amendment be appended? And because I choose to make this reservation—(and there are other reasons, not necessary to be stated at present, equally powerful)—because I choose to make this reservation, I am to be held up as embarrassing Congress, consuming its time, and opposing measures necessary to carry on the war! Well, as to that consumption of time, it is one of the most unfounded insinuations. Is there any Senator at all, who takes part in the debates, who has consumed less time than myself? I have made but a single speech,—the other day,—and that of but an hour's length; and besides that, I have not made a speech that has occupied five minutes; and

yet on these grounds, amounting to nothing, we are told that we are to be responsible for every thing connected with the session, done or not done! Well, that shows a very deep feeling working within. It may be there are aspirants to the Presidency who think something may be gained by making these charges. I know not. Or it may be the individual feeling of the Senator himself, from some personal considerations,—although I do not know how this can be, as I never had the slighest personal difference with him. He accuses me of voting against the bill the other day upon the ground of some constitutional objection, and that I had given a different vote in the year 1813. There was a bill passed in 1813, but is there any evidence that this question was made or presented? I believe the Senator from Massachusetts (Mr. Webster) was then a member of the House. He may be able to tell. It is a long time ago. I have forgotten all about it. But, to the best of my knowledge, I never heard the question presented as to the constitutionality of the provision till it was raised by the Senator from Connecticut (Mr. Huntington) in the discussion here.

[Mr. Webster here said, Whether it was discussed earlier than May, 1813, I know not; but I know the question was not raised then, nor since, till now.]

Mr. Calhoun. So I thought. But does not the Senator know that, in these complicated measures, often very important constitutional questions may present themselves? Now I am to be charged, on such grounds, as having changed my opinions—pleading infancy at one time, and dotage at another; for such is the language which the Senator applies. But again: he spoke of the responsibility for the war as arising from the annexation of Texas. I did take a deep interest in that measure of annexation, and to no act of my life do I revert with more entire satisfaction. Annexation at that time, according to my opinion, was a question

of pure necessity. I might go into this matter if it would not occupy the time of the Senate.

[Cries of "Go on."]

According to my view, the time was not propitious in one respect. The then President had no party in either House. I am not certain that he had a single supporter in this, and not more than four or five in the other. It appeared to me to be a very unpropitious moment, under such circumstances, to carry through so important a measure. When it was intimated to me that I would be nominated for the office of Secretary of State, I strongly remonstrated against it to my friends here; but before my remonstrance reached them I was unanimously appointed, and was compelled to accept. I saw that the Administration was weak, and that the very important measure would be liable to be defeated. But circumstances made action on it inevitable. I ascertained, from sources perfectly reliable, that at the World's Convention the American delegation suggested to the abolitionists of England, that then was the time to act—and if they wished to aim a fatal blow at slavery, it must be in Texas; and, in order to do that, England must obtain control there. I received information—I will not say official, but from a quarter in which there could be no mistake—that an interview had taken place between Lord Aberdeen and a deputation of the World's Convention. I was then at home in South Carolina, and immediately transmitted to the Secretary of State that information, accompanied by my opinion that it demanded instant attention. I suppose that letter and my communication formed one of the reasons for the movement then made for annexation. What was then the condition of Texas? She was weak, and could not long remain without the support of England or the United States. The British Government saw this, and commenced its operations under the suggestion of the World's Convention, by press-

ing Mexico to recognize her independence on condition of abolishing slavery. The time had come to act, and for consequences to be met, be they what they might. I accepted the office, with all these difficulties before me. I said: This office is unacceptable to me. I go in with no small share of reputation, if I may judge from appearances. I shall experience great difficulty in accomplishing the object for which I have been appointed, and may lose much reputation; but I must do my duty. I undertook it, and when I undertake a thing I go straightforward to it. I placed the question on its true ground,—that this movement was intended to bring Texas under the control of England, with a view to abolish slavery there,—and, through that, of abolishing it throughout this country. A treaty was formed, and it shared the fate that might have almost been expected from the weakness of the administration. It was defeated. But the Senator says I had stipulated in that treaty that the Rio Grande was the boundary.

[Mr. Turney. I remarked that I had never read the treaty, but I understood that its terms went to the Rio Grande.]

Mr. Calhoun. The Senator is just as wrong in that as in all his understandings. No such thing; the line was intentionally left open. The two respectable commissioners from Texas will bear me testimony as to that. It was expressly left open, in order that the boundary might be subsequently established by negotiation with Mexico. I know that a Senator of this body put a construction on it similar to that of the Senator from Tennessee, and strongly assailed me on that assumption. But it was so far from true, that, as soon as the treaty was signed, I communicated directly with the Mexican Government, through our Chargè-d'Affaires, and stated that I was ready to settle all questions of difference, and amongst others the boundary, upon the most liberal principles. I did not apprehend that war would follow.

But I am held responsible, on the ground that if Texas had not been annexed we should not have had a Mexican war. Is he sure of that? Why, this is an attack on Mr. Polk. What is the whole staple of the message but that the real cause of war was injuries committed on American citizens long before annexation? Has the gentleman overlooked that? And did not General Jackson and Mr. Van Buren declare that those injuries were a just cause of war? The immediate cause of the war, if he desires to know, was the marching of our forces from the frontier,—

[A SENATOR. Corpus Christi.]

—from Corpus Christi to the banks of the Del Norte. To repel that, on the part of Mexico, is what the President calls an invasion,—assuming that the Rio del Norte was the boundary. But can that be justly charged to annexation? If General Taylor had remained where he was, there would have been no invasion. The evidence is clear. The fact is —and cannot be denied—that General Arista communicated to General Taylor, either by letter or a trusty agent, that if the American troops would remain where they were (at Corpus Christi), the Mexican troops would remain where they were (on the west side of the Rio del Norte). That both might send out detachments to the Salt Colorado (a stream about midway between the two places), for the purpose of guarding the frontier and preventing smuggling,— and that there would be no conflict between them. If I am not mistaken, this was communicated to the department, and a call upon it would bring it forth, if it should be required. I think something to the same effect was recently published in the Southern papers.

[A SENATOR. Yes.]

So, then, we have clear evidence that the war was made by the order to march to the Del Norte. That the President believed that to be the boundary I do not question.

But the great question comes up, Has the Executive the right to determine what our boundary is? When we have a disputed boundary question—and we have had many—does it belong to the Executive or to Congress to determine it? There are two ways to do it. One is by negotiation and treaty, to be performed by the Executive and this body, in case the two nations agree to negotiate. The other is, if the party disputes the boundary and will not come to terms, for Congress to declare where the boundary is, and maintain it, if need be, at the hazard of war. How long did the boundary of Maine remain unsettled? From the acknowledgment of independence in 1783, down to the time that the Senator from Massachusetts closed it by treaty. But did any of our Presidents ever think of marching troops upon the line? The British held Detroit and Fort Stanwix after the treaty of peace until Jay's treaty in 1784. Did General Washington undertake to establish the boundary by marching troops to the St. Lawrence, which was our boundary? If war, then, has followed annexation, it is not to be traced to any one from South Carolina, but to one from Tennessee.

I might say more on this subject, but I will not detain the Senate. The gentleman has made a great many charges about my political course. He has charged me with inconsistency, and represented me as voting on different sides of all questions. The gentleman's understanding on this point is just as correct as on all others. I leave that all to history. I will not say that I have not changed my opinions on many things—very seldom on constitutional points—and not often on questions of policy. My mind is indeed rather rigid. Like all young men coming to Congress, I had my opinions both as to principle and policy, but had much to learn as to the actual working of our system, which could only be had from actual experience: before they could be firmly and fully established, I had to go through the process

of experience. At that time, the great question was the war with Great Britain, in reference to which I took a bold and decided stand. I continued in Congress but two years after the war; and, after filling the offices of Secretary of War and Vice President, returned to Congress and took my seat in this body in 1832–3; and, from that day to this, the volume of my life is known to the country; and I challenge the Senator, or any Senator on this floor, to show, from that day to this, wherein I have changed my views. He says that when the question came up on the recognition of Texas, I belonged to the opposite side of the House. No. I belonged to neither side. Several Senators—the Senator from North Carolina nearest to me, and the Senator from Massachusetts—can testify as to that. I never met in caucus in consultation with either side of the House. I took my own independent course, standing nearly alone for some years,—voting for what I believed to be the true interest of the country, irrespective of party. And let me say, I have never attended those meetings for the purpose of deliberation with gentlemen on this side of the House, except during the period of excitement in the extra session called by General Harrison in 1844, and part of the next session. I attended then, because the Democratic party had been overthrown in the preceding elections, and there were, at that time, great questions involved in the issues between the parties, in which I agreed with them and was opposed to the opposite party. I met only in reference to the arrangements to sustain the Democratic party in those issues, but not on subjects of legislation on which the party was divided.

Mr. President, I have been a long time a member of this body. It is the first time in which an assault has been made upon me, and without the slightest provocation. It seems to me that if the gentleman had answered, Yes, when asked if he referred to me, it would have been more manly. But he pointed to me, and I could not remain silent.

It is painful for me, Sir, to come out on these occasions; I desire rather never to speak of myself; but I pardon the gentleman,—for he has given me an opportunity to set myself right on certain points, in relation to which I wish to stand right, and may take another opportunity to make myself more fully understood. As to the war, I have deplored it. I have deplored it for its consequences. I have deplored it for the manner of bringing it on. As to my views in reference to the war, I have kept silent; assailed here and throughout the country, my friends urged me to come out and explain at the last session. I intended to remain silent until I saw a suitable opportunity for explanation. And here let me say,—what just now comes to my mind. It may be asked, thinking as I do as to the causes of the war, why I did not take some steps to arrest the march of General Taylor? In the first place, I never heard that the march was ordered until a long time after the order was given. The Senator from Delaware (Mr. J. M. Clayton) gave me the first intimation that the order had been issued. I replied that it was impossible, and could not believe it until the fact was certainly ascertained. After General Taylor had actually commenced his march, I said to several of my friends,—he ought to be stopped, it will bring on war. I said also, if my memory serves me, the same thing to the Senator from Delaware, from whom I first derived my information.

[The Senator assented.]

I said to him and others that the Oregon and Mexican questions were intimately connected; that a war with England, in reference to Oregon, would certainly involve in its consequences a war with Mexico; and that a war with Mexico might also involve a war about Oregon, or at all events prevent the settlement of our difficulties with England in reference to it. That, thus viewing it, General Taylor, in my opinion, ought to be stopped; and that I

would lay a resolution on the table calling for the order under which he marched, and would follow it up by a resolution to arrest his march, were I not prevented by the position which I occupied. Of the two, I considered it more important to avoid a war with England about Oregon than a war with Mexico, important as I thought it was to avoid that. That it was important I should maintain the kindest and most friendly relations with the President, in order that I should have some weight in bringing the Oregon question to an amicable settlement; and that, if I were to move in reference to the order given to General Taylor, it would, I feared, place me in hostile relations to the Executive, and destroy any weight I might have with it on the Oregon question. This, with the hope that the Oregon question might be settled before an actual conflict between the forces under General Taylor and those under Arista, prevented me from acting. Otherwise, I would certainly have made a move to arrest the march—and thereby to arrest the war. I have much more to say in reference to the cause of the war, which I must postpone until some suitable occasion. I could state some facts in relation to Oregon, but I am not at liberty, and therefore forbear. I thank the Senate for the kindness with which it has now heard me.

REMARKS

On presenting his Resolutions on the Slave Question, made in the Senate, February 19th, 1847.

Mr. Calhoun rose and said: Mr. President, I rise to offer a set of resolutions in reference to the various resolutions from the State legislatures upon the subject of, what they call, the extension of sl[redacted] and the proviso attached to the

House bill, called the Three Million Bill. What I propose before I send my resolutions to the table, is to make a few explanatory remarks.

Mr. President, it was solemnly asserted on this floor some time ago, that all parties in the non-slaveholding States had come to a fixed and solemn determination upon two propositions. One was,—that there should be no further admission of any States into this Union which permitted, by their constitutions, the existence of slavery; and the other was,—that slavery shall not hereafter exist in any of the territories of the United States; the effect of which would be to give to the non-slaveholding States the monopoly of the public domain, to the entire exclusion of the slaveholding States. Since that declaration was made, we have had abundant proof that there was a satisfactory foundation for it. We have received already solemn resolutions passed by seven of the non-slaveholding States—one-half of the number already in the Union, Iowa not being counted—using the strongest possible language to that effect; and no doubt, in a short space of time, similar resolutions will be received from all of the non-slaveholding States. But we need not go beyond the walls of Congress. The subject has been agitated in the other House, and they have sent up a bill "prohibiting the extension of slavery" (using their own language) "to any territory which may be acquired by the United States hereafter." At the same time, two resolutions which have been moved to extend the compromise line from the Rocky Mountains to the Pacific, during the present session, have been rejected by a decided majority.

Sir, there is no mistaking the signs of the times; and it is high time that the Southern States—the slaveholding States, should inquire what is now their relative strength in this Union, and what it will be if this determination should be carried into effect hereafter. Already we are in a minority—I use the word "we" for brevity's sake—already we are in a

minority in the other House,—in the electoral college,—and I may say, in every department of this Government, except, at present, in the Senate of the United States—there for the present we have an equality. Of the twenty-eight States, fourteen are non-slaveholding and fourteen are slaveholding, —counting Delaware, which is doubtful,—as one of the non-slaveholding States. But this equality of strength exists only in the Senate. One of the clerks, at my request, has furnished me with a statement of what is the relative strength of the two descriptions of States, in the other House of Congress and in the electoral college. There are 228 representatives, including Iowa, which is already represented there. Of these, 138 are from non-slaveholding States, and 90 are from what are called the slave States—giving a majority, in the aggregate, to the former of 48. In the electoral college there are 168 votes belonging to the non-slaveholding States, and 118 to the slaveholding, giving a majority of 50 to the non-slaveholding.

We, Mr. President, have at present only one position in the Government, by which we may make any resistance to this aggressive policy which has been declared against the South; or any other that the non-slaveholding States may choose to adopt. And this equality in this body is one of the most transient character. Already Iowa is a State; but owing to some domestic difficulties, is not yet represented in this body. When she appears here, there will be an addition of two Senators to the representatives here of the non-slaveholding States. Already Wisconsin has passed the initiatory stage, and will be here the next session. This will add two more, making a clear majority of four in this body on the side of the non-slaveholding States, who will thus be enabled to sway every branch of this Government at their will and pleasure. But, if this aggressive policy be followed —if the determination of the non-slaveholding States is to be adhered to hereafter, and we are to be entirely excluded

from the territories which we already possess, or may possess —if this is to be the fixed policy of the Government, I ask what will be our situation hereafter?

Sir, there is ample space for twelve or fifteen of the largest description of States in the territories belonging to the United States. Already a law is in course of passage through the other House creating one north of Wisconsin. There is ample room for another north of Iowa; and another north of that; and then that large region extending, on this side of the Rocky Mountains, from 49 degrees down to the Texan line, which may be set down fairly as an area of twelve and a half degrees of latitude. That extended region of itself is susceptible of having six, seven, or eight large States. To this, add Oregon which extends from 49 to 42 degrees, which will give four more, and I make a very moderate calculation when I say that, in addition to Iowa and Wisconsin, twelve more States upon the territory already ours—without reference to any acquisitions from Mexico—may be, and will be, shortly added to these United States. How will we then stand? There will be but fourteen on the part of the South—we are to be fixed, limited, and for ever—and twenty-eight on the part of the non-slaveholding States! Double our number! And with the same disproportion in the House and in the electoral college! The Government, Sir, will be entirely in the hands of the non-slaveholding States—overwhelmingly.

Sir, if this state of things is to go on—if this determination, so solemnly made, is to be persisted in, where shall we stand, as far as this Federal Government of ours is concerned? We shall be at the entire mercy of the non-slaveholding States. Can we look to their justice and regard for our interests? I ask, can we rely on that? Ought we to trust our safety and prosperity to their mercy and sense of justice? These are the solemn questions which I put to all—this and the other side of the Chamber.

Sir, can we find any hope by looking to the past? If we are to look to that—I will not go into the details—we will see, from the beginning of this Government to the present day, as far as pecuniary resources are concerned—as far as the disbursement of revenue is involved, it will be found that we have been a portion of the community which has substantially supported this Government without receiving any thing like a proportionate return. But why should I go beyond this very measure itself? Why go beyond this determination on the part of the non-slaveholding States,—that there shall be no further addition to the slaveholding States,—to prove what our condition will be?

Sir, what is the entire amount of this policy? I will not say that it is so designed. I will not say from what cause it originated. I will not say whether blind fanaticism on one side,—whether a hostile feeling to slavery entertained by many not fanatical on the other, has produced it; or whether it has been the work of men, who, looking to political power, have considered the agitation of this question as the most effectual mode of obtaining the spoils of this Government. I look to the fact itself. It is a policy now openly avowed as one to be persisted in. It is a scheme, which aims to monopolize the powers of this Government and to obtain sole possession of its territories.

Now, I ask, is there any remedy? Does the Constitution afford any remedy? And if not, is there any hope? These, Mr. President, are solemn questions—not only to us, but, let me say to gentlemen from the non-slaveholding States, to them. Sir, the day that the balance between the two sections of the country—the slaveholding States and the non-slaveholding States—is destroyed, is a day that will not be far removed from political revolution, anarchy, civil war, and wide-spread disaster. The balance of this system is in the slaveholding States. They are the conservative portion—always have been the conservative portion—always will be

the conservative portion; and with a due balance on their part may, for generations to come, uphold this glorious Union of ours. But if this scheme should be carried out—if we are to be reduced to a handful—if we are to become a mere ball to play the presidential game with—to count something in the Baltimore caucus—if this is to be the result—woe! woe! I say, to this Union!

Now, Sir, I put again the solemn question—Does the constitution afford any remedy? Is there any provision in it by which this aggressive policy (boldly avowed, as if perfectly consistent with our institutions and the safety and prosperity of the United States) may be confronted? Is this a policy consistent with the Constitution. No, Mr. President, no! It is, in all its features, daringly opposed to the constitution. What is it? Ours is a Federal Constitution. The States are its constituents, and not the people. The twenty-eight States—the twenty-nine States (including Iowa)—stand, under this Government, as twenty-nine individuals, or as twenty-nine millions of individuals would stand to a consolidated power! No, Sir. It was made for higher ends. It was so formed that every State, as a constituent member of this Union of ours, should enjoy all its advantages, natural and acquired, with greater security, and enjoy them more perfectly. The whole system is based on justice and equality—perfect equality between the members of this republic. Now, can that be consistent with equality which will make this public domain a monopoly on one side—which, in its consequences, would place the whole power in one section of the Union to be wielded against the other sections? Is that equality?

How, then, do we stand in reference to this territorial question—this public domain of ours? Why, Sir, what is it? It is the common property of the States of this Union. They are called "the territories of the United States." And what are the "United States" but the States united? Sir,

these territories are the property of the States united; held jointly for their common use. And is it consistent with justice—is it consistent with equality, that any portion of the partners, outnumbering another portion, shall oust them of this common property of theirs—shall pass any law which shall proscribe the citizens of other portions of the Union from emigrating with their property to the territories of the United States? Would that be consistent—can it be consistent with the idea of a common property, held jointly for the common benefit of all? Would it be so considered in private life? Would it not be considered the most flagrant outrage in the world—one which any court of equity would restrain by injunction, or any court of law in the world would overrule.

Mr. President, not only is that proposition grossly inconsistent with the constitution, but the other, which undertakes to say that no State shall be admitted into this Union, which shall not prohibit by its constitution the existence of slaves, is equally a great outrage against the constitution of the United States. Sir, I hold it to be a fundamental principle of our political system, that the people have a right to establish what government they may think proper for themselves; that every State about to become a member of this Union has a right to form its government as it pleases; and that, in order to be admitted there is but one qualification, and that is, that the Government shall be republican. There is no express provision to that effect, but it results from that important section, which guarantees to every State in this Union a republican form of government. Now, Sir, what is proposed? It is proposed, from a vague, indefinite, erroneous, and most dangerous conception of private individual liberty, to overrule this great common liberty which a people have of framing their own constitution! Sir, the right of framing self-government on the part of individuals is not near so easily to be established by any course of rea-

soning, as the right of a community or State to self-government. And yet, Sir, there are men of such delicate feeling on the subject of liberty—men who cannot possibly bear what they call slavery in one section of the country—although not so much slavery, as an institution indispensable for the good of both races—men so squeamish on this point, that they are ready to strike down the higher right of a community to govern themselves, in order to maintain the absolute right of individuals, in every possible condition to govern themselves!

Mr. President, the resolutions that I intend to offer present, in general terms, these great truths. I propose to present them to the Senate; I propose to have a vote upon them; and I trust there is no gentleman here who will refuse it. It is manly, it is right, that such a vote be given. It is due to our constituents that we should insist upon it; and I, as one, will insist upon it that the sense of this body shall be taken; the body which represents the States in their capacity as communities, and the members of which are to be their special guardians. It is due to them, Sir, that there should be a fair expression of what is the sense of this body. Upon that expression much depends. It is the only position we can take, that will uphold us with any thing like independence—which will give us any chance at all to maintain an equality in this Union, on those great principles to which I have referred. Overrule these principles, and we are nothing! Preserve them, and we will ever be a respectable portion of the Union.

Sir, here let me say a word as to the compromise line. I have always considered it as a great error—highly injurious to the South, because it surrendered, for mere temporary purposes, those high principles of the constitution upon which I think we ought to stand. I am against any compromise line. Yet I would have been willing to acquiesce in a continuation of the Missouri compromise, in order to preserve,

under the present trying circumstances, the peace of the country. One of the resolutions in the House, to that effect, was offered at my suggestion. I said to a friend there, "Let us not be disturbers of this Union. Abhorrent to my feelings as is that compromise line, let it be adhered to in good faith; and if the other portions of the Union are willing to stand by it, let us not refuse to stand by it. It has kept peace for some time, and, in the present circumstances, perhaps, it would be better to be continued as it is." But it was voted down by a decided majority. It was renewed by a gentleman from a non-slaveholding State, and again voted down by a like majority.

I see my way in the constitution; I cannot in a compromise. A compromise is but an act of Congress. It may be overruled at any time. It gives us no security. But the constitution is stable. It is a rock. On it we can stand, and on it we can meet our friends from the non-slaveholding States. It is a firm and stable ground, on which we can better stand in opposition to fanaticism, than on the shifting sands of compromise.

Let us be done with compromises. Let us go back and stand upon the constitution!

Well, Sir, what if the decision of this body shall deny to us this high constitutional right, not the less clear because deduced from the entire body of the instrument, and the nature of the subject to which it relates, instead of being specially provided for? What then? I will not undertake to decide. It is a question for our constituents, the slaveholding States—a solemn and a great question. If the decision should be adverse, I trust and do believe that they will take under solemn consideration what they ought to do. I give no advice. It would be hazardous and dangerous for me to do so. But I may speak as an individual member of that section of the Union. There is my family and connections; there I drew my first breath; there are all my

hopes. I am a planter—a cotton-planter. I am a Southern man and a slaveholder—a kind and a merciful one, I trust—and none the worse for being a slaveholder. I say, for one, I would rather meet any extremity upon earth than give up one inch of our equality—one inch of what belongs to us as members of this great republic! What! acknowledged inferiority! The surrender of life is nothing to sinking down into acknowledged inferiority!

I have examined this subject largely—widely. I think I see the future. If we do not stand up as we ought, in my humble opinion, the condition of Ireland is prosperous and happy—the condition of Hindostan is prosperous and happy—the condition of Jamaica is prosperous and happy, compared with what must be that of the Southern States.

Mr. President, I desire that the resolutions which I now send to the table be read.

[The resolutions were read as follows:—

"*Resolved*, That the territories of the United States belong to the several States composing this Union, and are held by them as their joint and common property.

"*Resolved*, That Congress, as the joint agent and representative of the States of this Union, has no right to make any law, or do any act whatever, that shall directly, or by its effects make any discrimination between the States of this Union, by which any of them shall be deprived of its full and equal right in any territory of the United States, acquired or to be acquired.

"*Resolved*, That the enactment of any law, which should directly, or by its effects, deprive the citizens of any of the States of this Union from emigrating, with their property, into any of the territories of the United States, will make such discrimination, and would, therefore, be a violation of the constitution and the rights of the States from which such citizens emigrated, and in derogation of that perfect equality which belongs to them as members of this Union,—and would tend directly to subvert the Union itself.

"*Resolved*, That it is a fundamental principle in our political creed, that a people in forming a constitution have the unconditional right to form and adopt the government which they may think best calculated to

secure their liberty, prosperity, and happiness; and that, in conformity thereto, no other condition is imposed by the Federal Constitution on a State in order to be admitted into this Union, except that its constitution shall be republican; and that the imposition of any other by Congress would not only be in violation of the constitution, but in direct conflict with the principle on which our political system rests."]

I move that the resolutions be printed. I shall move that they be taken up to-morrow; and I do trust that the Senate will give them early attention and an early vote upon the subject.

REMARKS

In reply to Mr. Simmons, on his Resolutions; made in the Senate, February 20th, 1847.

MR. CALHOUN said he desired to make one or two remarks in reply to some portions of the speech of the honorable Senator from Rhode Island. I intend now and hereafter to argue this question with calmness. It is not one to be argued in a spirit of excitement. The Senator from Rhode Island rests his reasons against the resolutions which I have offered,—in the first place,—on the fact, that there was no territory belonging to the United States at the time of the adoption of the constitution, from which slavery was not excluded. Now, whether that be an argument of any force or not, I do not, in the first instance, intend to inquire; but what I do intend to say is, that the fact that there was no territory belonging to the United States at that time which did not exclude slavery, reads a lesson to us that we ought never to forget. How did the United States get possession of that magnificent territory between the Mississippi and the Ohio, now swarming with an intelligent and most numerous population? It was by the magnanimous ces-

sion of the oldest and leading Southern State. It was she that ceded it to the Union, in the spirit of that generosity and patriotism which has ever characterized Virginia, and, let me add, all the Southern States of this Union. Now, how did it happen that Virginia and the other Southern States came to be excluded from that territory? It was by an act of the old Congress, in which the Senator very properly told us that the non-slaveholding States had a majority.

[MR. SIMMONS. Every one of the slaveholding States voted for it.] *

MR. CALHOUN. The non-slaveholding States had a majority, and that Congress passed a law excluding slave-owners from the territory. Virginia was thus deprived of all participation in that magnificent territory, without the slightest authority under the old articles of confederation. It was a palpable violation of that instrument, and was so represented by Mr. Madison himself in "The Federalist," if I do not mistake. It is some time since I looked into it. Now, here we have a warning. I trust that the South never will forget that an act of unlimited generosity, almost without precedent, was converted, through the force of a majority of the non-slaveholding States in the old Congress, into a monopoly of this territory from which Virginia herself was excluded, and all done without authority of the articles of the old confederation, but in violation of them. What has been the consequence? There have grown up in that territory five States, from which we are not only excluded, but they are made a receptacle, contrary to the constitution,—I am giving facts, solemn facts,—of our fugitive slaves, and are thus made the medium of depriving us of them, directly in violation of the constitution, which provides that all fugitive slaves shall

* Mr. Simmons was in an error. The States were divided in passing the ordinance.

be delivered up on claim of the owner. Organized companies have been formed in Ohio and other States—Illinois, Indiana,—

[MR. HANNEGAN, in his seat. No, not Indiana.]

—I was in error, then; but organized companies have been formed at least in Ohio, for the purpose of transporting our slaves into Canada, where they are beyond the reach of this constitutional provision, and expressly with a view of defeating it. They are known to exist,—they act openly,—and yet the legislature of that State refrains from any action on the subject. Now, I put it to the candor of the Senator from Rhode Island, and to every other Senator on this floor, if this does not read us a lesson, which we ought long, long to remember?

This has resulted from a violation of the articles of confederation, by passing the ordinance already alluded to—passed by a body, in which, we are informed by the Senator, the non-slaveholding States had a majority. It is the natural result of a power exercised by a single body, controlled by a numerical majority, without an antagonizing power in the constitution to counteract it. I care not what the form of the Government is—it is nothing, if the Government be despotic, whether it be in the hands of one, or of a few, or of many men, without limitation. It belongs to the human heart that the power will be abused; and, what is most extraordinary, those abusing it will often not be conscious of the abuse.

I come to the next ground taken by the Senator from Rhode Island,—that the United States, at the time of the adoption of the constitution, had no territory from which slavery was not excluded. From this fact he concluded, that it was the intention of the framers to exclude slavery from all territories to be acquired. Now I put it to the Senate, is that a legitimate conclusion? Is there any principle from

which we could infer from a mere naked fact like that, that it was the intention of the framers of the constitution to prevent the slaveholding States from having any participation in any territory thereafter to be acquired, either by purchase or conquest. I confess I can see none.

The next argument relied upon by the Senator is this; that, at that time, there was a certain proportion between the number of non-slaveholding and slaveholding States, which gave the former a majority in the old Congress; and that as they had a majority when the constitution was framed, it was intended that they should maintain it for ever afterwards. I have shown how the power was exercised by the old Congress, while they possessed this majority, in reference to the very question now under consideration; and that it affords us sufficient warning to guard us against a predominance of such a majority in every branch of this Government, as will be the case if we do not resist the aggressive policy of excluding slavery from all the territories of the Union.

But suppose this argument of the Senator to have any force, it is as good for us as it is for him. It would follow that the disproportion which then existed in favor of the non-slaveholding States ought never to be increased, and yet the resolutions adopted by his and other States, propose that we should be excluded hereafter from all the territories of the United States, and that no other slaveholding State should ever again be admitted into the Union.

[MR. SIMMONS. There is no such proposition in the resolution from my State.]

MR. CALHOUN. Well, that is the proposition of other States. If we are to be excluded, what will be the result? Instead of having this disproportion of six to eight, we will have a disproportion of fourteen to twenty-eight! Double, precisely. That will be the end of it. And if ever any portion of Mexico should fall under the authority of the

United States, and come to be our property, and we should apply to it the same principle, where, I ask, would it end? What has led the Senator from Rhode Island into these extraordinary conclusions? I have great respect for that Senator. I believe he intends fair. But let me say to him that he has viewed all in reference to this question one-sidedly. He has considered it in a single aspect, and viewing it thus partially, his clear and strong intellect has been brought to very erroneous conclusions. His error originates in the belief that this is a national Government—that we are a nation—that we are one people, and not an union. And to prove that we are a nation, what documents does he furnish? A single resolution by the State of New-York calling the convention that framed the constitution.

[MR. SIMMONS. I quoted the language of the resolution simply for the purpose of showing the use of the word "nation," at that time, which the Senator has so pertinaciously refused to employ. But it was not at all to sustain my general position.]

MR. CALHOUN. Well, then, it was no argument at all! All the rest was bare assertion; and yet he threw up his hands and expressed his amazement that any one should hold the doctrines that we hold! I will follow the Senator, however. It is true that the resolution of the State of New-York used the word national; and, what is further true, that there was a large body in the United States, at that time, in favor of a national Government. The three States which took the lead on that side were Massachusetts, Pennsylvania, and Virginia. They were the three largest, and were actively and strenuously in favor of a national Government. The two leading spirits were Mr. Hamilton of New-York, probably the author of the resolution, and Mr. Madison of Virginia. In the early stages of the convention there was a majority in favor of a national Government. But in this stage there were but eleven States in the convention; Rhode Island never

appeared there, and New Hampshire had not yet appeared with her delegates. In the process of time New Hampshire came in—a very great addition to the federal side, which now became predominant; and it is owing—I speak it here in honor of New England and the Northern States—it is owing mainly to the States of Connecticut and New Jersey, that we have a federal instead of a national Government—that we have the best Government instead of the most despotic and intolerable on the earth. Who were the men of these States to whom we are indebted for this admirable Government? I will name them. Their names ought to be engraven on brass and live for ever! They were Chief Justice Ellsworth, Roger Sherman, and Judge Patterson of New Jersey. The other States further South were blind; they did not see the future. But to the sagacity and coolness of these three men, aided by a few others, but not so prominent, we owe the present constitution. So completely did the National party succumb, that during a large portion of the latter part of the sittings of the convention the word "National" was not named. The "Federal," and the "Union," became the favorite names. The National party was completely overthrown; and what is remarkable, the very men who took the lead of the National party, assumed the name of "Federalists,"—clearly showing that it had become the favorite name. Honest and great men they were; and as such were disposed, after they were overruled, to give an honest and a fair trial to a system, to which at first they were opposed; and under the name of "Federal," they recommended that constitution to the adoption of the people of the United States; conclusively proving that the scheme of a national Government first proposed had been overruled, and a federal Government adopted in its place. Now, if the Senator's eyes had been properly directed, he would not have been ignorant of this; and not being ignorant, would not have made the extraordinary declaration

he has made;—that the idea that we constitute an Union of States, and not a nation, was so absurd, that nothing but the extraordinary ability with which it had been advocated could rescue it from ridicule.

But this is not all. Many of the original Federal party in the convention assumed the name of Republican, after the "National" party had assumed that of Federalist, from an apprehension that the original bias of the former in favor of a national Government, would tend to give it a direction that way, in carrying out the power of the Government in practice. Under the name of Republican, and the lead of Mr. Jefferson, and maintaining to the utmost the federal character of the Government, they achieved a great victory, which carried him into power in 1801, and thus established in practice the federal theory of the Government, as I have shown it was, in the convention that adopted the constitution. These facts show the deep feeling of the people in favor of the federal theory, in opposition to the national, in the early stages of our Government, and afford conclusive proof, that if the latter had been adopted in forming the constitution—if that instrument had been based upon the national, instead of the federal theory, it never would have been adopted by the people of the States.

But the federal character of the Government may be established from its internal structure, as well as from historical evidence. It affords ample proof that it is a federal Union of States, and not a national Government—a constellation of nations, and not a single nation—a far more brilliant and striking conception—much more philosophical and better calculated to carry out the great object for which it was formed. If we had no other proof that the object was to preserve perpetual the Union, as it existed under the old articles of confederation, and not to destroy it by erecting a national, consolidated government, the letter of General Washington to the old Congress, submitting for its consider-

ation the present constitution, which he signed as president of the convention, would be conclusive. He calls it the "general government of the Union," and states as its leading object, a consolidation of the Union. The word Union is significant. Politically speaking it is never applied to individuals as united under a government, but always to States as constituting separate and distinct communities, and implies of itself the idea of a federal or confederated government.

Thus regarded, it is obvious that in using the word consolidated, it was not intended to be understood that the object in adopting the constitution was to destroy the Union, but to strengthen and perfect it, with a view of preserving and perpetuating it.

The Senator made a remark in this connection, which it is proper I should notice. He dwelt for some time on the interpretation which I gave to the term United States, in what I said in introducing my resolutions; I said it meant the "States United;" my object was to get clear of the geographical idea which, in common parlance, is attached to the United States. As commonly used, it is intended to designate that portion of this continent which Providence has allotted to us, and has come to receive this meaning, because there is no specific name to express it. But that is not its meaning in the constitution. As used in that instrument, it is intended to designate all the States that are members of this Union. Indeed, if my memory serves me, in the first plans of the constitution submitted to the convention, the preamble commenced with "we the people of New Hampshire, Massachusetts," and so on, enumerating all the States, as in the Declaration of Independence; but afterwards the phraseology was changed, and the expression, "we the people of the United States," as it now stands in the preamble, adopted in its place; from which, those who think with the Senator infer, that the constitution was ordained and established, not by the States as separate and distinct communities,

but by the people of the whole, as constituting an aggregate mass of individuals. It becomes important in this view to inquire why a change of phraseology was made. Were the names of the States dropped, and the present phraseology adopted, with the intention to support this interpretation, or with some other motive? The constitution itself will answer the question. The very last article provides, that the ratification by nine States shall be sufficient for the establishment of the constitution between the States so ratifying the same. Then, as it could not be known whether all the twelve States would ratify, or if all should not ratify, which of the twelve would, it became impossible to retain the original phraseology which enumerates all the States, after the words "we the people;" and yet from this change, made indispensably necessary from that provision of the constitution, it is attempted to subvert the federal Government, plainly established by it, and rear in its place a great national consolidated government—to expunge the word "Union," and insert in its place that of "Nation." In illustration of the foresight in making the change, it is proper to remark, that Rhode Island and North Carolina, in the first instance, refused to ratify, and that the constitution went into operation without them. We are as devoted to the Union as any portion of the American people; I use the phrase as meaning the people of the Union, but we see, in a national consolidated government, evils innumerable to us. Admit us to be a Nation and not an Union, and where would we stand? We are in the minority. We have peculiar institutions and peculiar productions, and shall we look to a mere numerical majority of the whole—the unsafest of all governments—for protection? I would rather trust a sovereign, rather an aristocracy—any form of government, than that. I hold that, whenever the idea becomes fixed, that the mere numerical majority have an inherent and indefeasible right to govern, constitutional liberty must cease.

It is Dorrism. Rhode Island has had some experience of what that is,—and the last man I should suspect of advocating this doctrine as applied to the Union, is the Senator from Rhode Island. It is bad enough when applied to a State, but when applied to our Union, it is ruinous. The true idea of a constitutional government is the reverse; a government of the whole,—a government which should fairly and fully express the sense of every portion, and thereby the sense of the whole, and not one that expresses simply the voice of the numerical majority, or the numerical minority. Either of them would be the government of a part over a part, and not the government of the whole.

Now let me tell the Senator, that the doctrines which we advocate are the result of the fullest and most careful examination of our system of government, and that our conviction, that we constitute an Union, and not a Nation, is as strong and as sincere as that of the Senator, or any other in the opposite opinion. We are as good judges of our interest and safety, and the means of preserving them, as the non-slaveholding States are of theirs, and rather better than they can be of ours.

The argument which the Senator based on the annexation of Texas, clearly proves how far the mind may be deflected from sound conclusions by a partial view of the subject. He asks, where I, as a strict constructionist, find any right to annex Texas to the Union.

[MR. SIMMONS. I said that this movement began on the part of this Government to prohibit the abolition of slavery in a foreign nation, and I desired to know the constitutional authority for that?]

MR. CALHOUN. I intended so to state the position of the Senator. A "foreign nation," then—that is, Texas. He asks, then, where I would find my authority in the constitution for that measure? The Senator must remember that the British Minister himself, Lord Aberdeen—whom I greatly

respect us a man and as a statesman—had the candor to send us a communication to be read by the British Minister to the Secretary of State, which office I then filled, announcing that their object was not only to see slavery abolished in Texas, but in the United States and throughout the world. Now I think nothing is clearer than this, that the United States are bound, under the highest guarantee, to protect the States of the Union against domestic violence, be it what it may—and that, being thus bound, whenever it is within the sphere of their power to take measures to prevent the causes leading to it. This Government has the exclusive control of our foreign relations, and is of course bound to take measures to prevent the operation of any cause originating in a foreign state, and which may in its consequences threaten to disturb the internal peace and security of any of the States of this Union—or to express it more strictly, to guard against the exciting of domestic violence from abroad.

The only question then is—whether the movement contemplated by Great Britain in Texas, would not, if permitted to be carried out, lead to insurrectionary movements almost necessarily in Louisiana and the other States bordering on Texas? Was it not then specially the duty of this Government, when it was informed from an authentic source, that the American delegates to the World's Convention had informed that body that the most effectual mode to abolish slavery in America, was to abolish it in Texas, and that then was the time for doing it,—was it not, I ask, our duty to take effectual steps to counteract it—especially was it not, when it was known that a committee was appointed by the convention to wait on Lord Aberdeen on the subject, and that it had received a favorable response? Add to this the communication from Lord Aberdeen above referred to, and I ask the Senator, whether a case is not made out, when this Government—under the solemn guarantee of the constitution, entered into by all the States, to protect the government of

each other against domestic violence—was not bound to adopt the most efficient measures to prevent the policy of the British Government in reference to Texas, and which must have ended in insurrectionary movements in the neighboring States, from being carried into effect? I also ask how could that have been effected but by the course which was adopted?

A word as to our motives. If we are opposed to the course of policy which the non-slaveholding States have announced that they are determined to pursue in reference to slavery, and the interpretation of the constitution on which they are prepared to rest that determination—judging by the remarks of the Senator—our opposition rests on the ground that they will be ruinous to us, if not effectually resisted. We know what we are about; we foresee what is coming, and move with no other purpose but to protect our portion of the Union from the greatest of calamities—not insurrection, but something worse. I see the end, if the process is to go on unresisted: it is to expel in time the white population of the Southern States, and leave the blacks in possession. I see beyond what the Senator sees, because he has not viewed the subject from the proper point. I have moved my resolutions from no party view—no design to embarrass any side—but simply that the slaveholding States, which I in part represent, shall know what is the sense of this body in reference to their constitutional rights touching this important point. If you believe we have none, tell us so. If we are doomed to remain for ever restricted to our present numbers, whilst the other States are to spread out and fill the continent, tell us so. Let us know the worst. We love and revere the Union; it is the interest of all—I might add the world—that our Union should be preserved; but the conservative power is in the slaveholding States. They are the conservative portion of the country. Where wages command labor, as in the non-slaveholding States, there necessarily takes place between labor and capital a conflict, which leads, in process of

time, to disorder, anarchy and revolution, if not counteracted by some appropriate and strong constitutional provision.

Such is not the case in the slaveholding States. There labor and capital are identified. There the high profit of labor but increases the means of the master to add to the comfort of his slaves;—and hence in all conflicts which may occur in the other portions of the Union between labor and capital, the South will ever be found to take the conservative side. Thus regarded, the non-slaveholding States have not much less interest, fairly understood, in upholding and preserving the equilibrium of the slaveholding States, than the latter themselves have. I was, in this connection, much struck many years ago by a remark made by one of four young English gentlemen, who in passing through this city spent some evenings with me—of whom Lord Stanley was one. We were conversing about the causes which, for so long a time, had kept this Union together in peace and harmony. It was regarded as a wonderful phenomenon, that a country of such vast extent and of such numerous population, should have passed through so many years under free and popular institutions, without convulsion or a shock. Lord Stanley—without any suggestion or leading remark of mine—said that it was owing to the Southern States, and that it was their conservative tendency that preserved us from disorder. Let gentlemen then be warned, that while warring on us, they are warring on themselves. Acting thus on the defensive, and restricting ourselves simply to repelling attacks, I regard it as hard—as unjust, that we should be accused of creating excitement, whilst those who have brought forward these aggressive measures, are held up in quite a different light—as the advocates of harmony and quiet. If excitement has been created, they, and not we, are the authors. We mean none and will cause none; all we ask is to be let alone; —but if trampled upon, it will be idle to expect that we will not resist it.

SPEECH

In Reply to Mr. Benton, of Missouri; delivered in the Senate, February 24, 1847.

One thing, Mr. President, at least, may be inferred from the unprovoked attack of the Senator, and the great solicitude he evinced to trace the authorship of the war to me—and that is, that the war is unpopular. There can be no mistake. He felt that the tide of public sentiment had turned against it,—and hence the anxiety exhibited to place its responsibility on my shoulders, and take it from those on whom it ought justly to rest. Had he supposed the opposite—had he believed that the war was necessary and unavoidable, and that its termination would be successful—I am the last man to whom he would attribute any agency in causing it. I am gratified that the Senator has furnished this evidence. It affords reasonable hope, that those who are responsible for it will exert themselves, and I hope with success, to bring it to a speedy termination.

He traces the authorship to me, because, as he asserts, I am the real author of the annexation of Texas, and that annexation is the real cause of the war. I trust, Mr. President, there will be no dispute hereafter as to who is the real author of annexation. Less than twelve months since, I had many competitors for that honor: the official organ here claimed, if my memory serves me, a large share for Mr. Polk and his administration, and not less than half a dozen competitors from other quarters claimed to be the real authors. But now, since the war has become unpopular, they all seem to agree that I, in reality, am the author of annexation. I will not put the honor aside. I may now rightfully and indisputably claim to be the author of that great measure—a measure which has so much extended the domains of the

Union,—which has added so largely to its productive powers, —which promises so greatly to extend its commerce,—which has stimulated its industry, and given security to our most exposed frontier. I take pride to myself as being the author of this great measure.

But the Senator objects that I so conducted the question of annexation as necessarily to lead to the war. On what does he rest this charge? He rests it on the ground that I selected the resolution as it came from the House of Representatives, as the basis of the annexation, instead of giving the Texan Government the choice between the House resolution and the amendment of the Senate originally moved by the Senator himself. He complained bitterly that the Senate resolution—passed at the very heel of the session, under the expectation that it would be carried into effect by the present Administration, then just coming into power, and not by Mr. Tyler's administration, then about to expire—had not been adopted.

He seemed to think that the then administration had no right to act upon it, and that, undertaking to do so, was depriving its successor of some of its rights. He accused me of acting with the greatest promptness. The fact is so. The resolution, if I recollect rightly, was signed by the late President about the first of March. I saw the importance of acting promptly, and advised the President to act without delay,—that he had the constitutional right of doing so, and that I deemed it necessary that he should act, in order effectually to secure the success of a measure which had originated with his administration. His cabinet were summoned the next day, and concurred in the opinion. That night I prepared the dispatch for Mr. Donelson, our Chargé in Texas, and the next day, late in the evening of the third of March, it was forwarded to him. It was my last official act of any importance as Secretary of State.

I selected the resolution of the House in preference to

the amendment of which the Senator from Missouri was the author, because I clearly saw, not only that it was every way preferable, but the only certain mode by which annexation could be effected. My reasons for thinking so were fully set forth in my dispatch, which may be found among the public documents accompanying the first annual message of the present Executive. They will speak for themselves,—they never have been controverted, and never can be successfully. Indeed, I never considered the Senator's amendment as expressing the deliberate sense either of the Senate or House of Representatives. It is well known that he, and a few of his friends, had the power of greatly embarrassing the passage of the resolutions of the House, if not of defeating them; and that his amendment was moved, not so much as an improvement of the resolutions, as to gratify him and them. That the course I adopted did secure the annexation, and that it was indispensable for that purpose, I have high authority in my possession—that which all would admit to be the highest, if I could with propriety introduce it; and for this prompt and decided act, if for nothing else, I might claim the authorship of annexation.

Now, can any thing be more absurd than the assertion that the war with Mexico resulted from selecting the House resolution, instead of the amendment of the Senator? He has ventured the bold assertion, without the shadow of an argument to sustain it. What possible difference could it make with Mexico, whether the annexation was made upon one or the other? Why should the one not be as offensive to her as the other? Indeed, I doubt much, whether, even to this day, the Government of Mexico knows whether the resolution was passed with or without an alternative. Such is the baseless ground on which he has charged me with being the author of the war. I had heard, for several days past, that he had prepared to make an elaborate attack on me. Some of my friends asked, rather jest-

ingly, if I did not expect to be annihilated. After these givings out, and such laborious preparation, I did suppose the Senator would make some show of a formidable charge; but of all the attacks I have ever witnessed, in this or any other legislative body, I have never known one so empty and ridiculous. Every one of his charges is founded either in gross error or partial statement of facts, or on some forced and absurd conclusion. I may begin with the very first which he made. He had the assurance to assert, in the presence of the Senate, that I was the first to introduce the question, who was the real author or cause of this war. Now, I appeal to every Senator, and every other individual who was present on the occasion, whether the Senator from Tennessee (Mr. Turney) did not first charge me with being the author of this war,—and whether I did not limit myself in repelling his charge, by showing that it originated in the order to General Taylor to march from Corpus Christi, to take position on the Rio del Norte? I go further, and ask, Is there a Senator here ignorant of the fact, that the question of who was the author or cause of the war, had been long before elaborately discussed in this body, in the House of Representatives, and throughout the whole country, from its declaration up to that time? In the face of all this, the Senator rises up in his place, after a long and laborious preparation, and asserts that it was I who originated the inquiry as to who was its author. This is a fair sample of the accuracy of the Senator, in his numerous allegations to show that I was the author of the war. I might go on, and take them up one by one, and show that every one of his positions and deductions is equally unfounded in fact or false in conclusion. I do not deem it necessary. A large portion of his speech was but the stale repetition of what he said in the session of 1843–1844, upon the treaty which I had concluded with Texas, then under discussion in this body. All the documents now brought

forward, were then before the Senate, and he went on with the same topics very elaborately, and with more power than on the present occasion, without making any impression on the country. The country was against him then, and still remains against him; and it is in vain that he undertakes to disturb its settled conviction. It will remain ever unchanged, in spite of all that he can do. Under this conviction, I will not weary the Senate by repelling assaults then made and then repelled. The most prominent of the charges—the orders given by the administration to place a fleet in the Gulf of Mexico, and a portion of the army on the frontier of Texas—was repelled by my then colleague (Mr. McDuffie), of whom he speaks so highly on this occasion. In repelling it, he said that, if the orders to which the Senator then and now objects had not been issued, the Executive would have been guilty of great dereliction of duty.

The Florida treaty, forming another subject of attack, figured also on that occasion, in connection with annexation; and what he has said now is but a repetition of what he said then. He then, as now, made me responsible for that treaty, although I was but one of six members of Mr. Monroe's cabinet, and the youngest of its members—responsible, without advancing a particle of proof that I even gave it my support or approbation. He rests the charge on some disclaimer, as it seems, that the then Secretary of State (Mr. Adams) has, at some time, made, that he was not responsible for the treaty. The Senator may be right as to that; but how can that, by any possibility, show that I was responsible? But I am prepared to take my full share of responsibility as a member of Mr. Monroe's cabinet, without having any particular agency in forming the treaty, or influence in inducing the cabinet to adopt it. I then thought, and still think it a good treaty; and so thought the Senate of the United States; for, if my memory does not deceive me, it received every vote of the Senate.

[A SENATOR. Yes, every vote.]

It then received the unanimous vote of the Senate, promptly given. Of course, if that treaty was the cause of the war with Mexico, as the Senator seems to suppose, this body is as much the author and cause of the war, as the individual on whom he is now so anxious to fix it.

I have said it was a good treaty, not without due reflection. We acquired much by it. It gave us Florida—an acquisition not only important in itself, but also in reference to the whole southwestern frontier. There were, at that time, four powerful tribes of Indians, two of whom—the Creeks and the Choctaws—were contiguous to Florida, and the two others—the Chickasaws and Cherokees—were adjoining. They were the most numerous and powerful tribes in the United States, and, from their position, were exposed to be acted on and excited against us from Florida. It was important that this state of things should terminate, which could only be done by obtaining the possession of Florida.

But there were other and powerful considerations for the acquisition. We had, a short time before, extinguished the Indian title to large tracts of country in Alabama, Mississippi, and Georgia, lying upon streams and rivers which passed through Florida to the gulf—lands in a great measure valueless, without the right of navigating them to their mouths. The acquisition of Florida gave us this right, and enabled us to bring into successful cultivation a great extent of fertile lands which have added much to the increased production of our great staple, cotton. Another important point was effected by the acquisition: it terminated a very troublesome dispute with Spain, growing out of the capture of St. Mark's and Pensacola by General Jackson, in the Seminole war; and, finally, it perfected our title to Oregon, by ceding to us whatever right Spain had to that territory.

Such is the treaty on which the Senator has lavished so much of his abuse. But there were other reasons for adopting the Sabine as the boundary, and of which I was ignorant at the time the treaty was formed, and to the knowledge of which I have come within the last few years. Mr. Monroe, if I am correctly informed, in adopting that line, acted under circumstances which left him little option. I am not at liberty to state them—the information I received confidentially. It is sufficient to state that he had ascertained that the Senate would not ratify a treaty with a boundary further west. It was communicated to him by Senators of the first respectability. Their reason for refusing to ratify a treaty which would extend the boundary beyond the Sabine, I do not choose to go into, although it was communicated to me with the information to which I have alluded.

But if we take out of the speech of the Senator what he has stated in relation to annexation and the Florida treaty, in which, as I have stated, he has but repeated old and stale charges, that made not the slightest impression on the country at the time, what is there left of his present attack upon me? It is surprising that a man of his experience and sagacity should suppose that the repetition of these threadbare charges, regarded as futile when first made, should make any impression now. Indeed, I may consider myself obliged to him for repeating them, after such elaborate preparation, as it affords the most conclusive proof how exempt my course has been from any just censure during the long period of time through which he has attempted to trace it.

To make good his allegation that I am the author of annexation, and that annexation caused the war, he asserts that I was in favor of the annexation of Texas as far back as 1836, immediately after the battle of San Jacinto, and the capture of Santa Anna; to prove which, he read an extract from the speech which I delivered on resolutions from

Mississippi, presented by her Senator, now Secretary of the Treasury, instructing the Senators to obtain an immediate recognition of the independence of Texas.

It is true that I then advocated an early recognition of the independence of Texas, and its admission into this Union; but I was not alone in that, nor did I take a leading part in the discussion; the two most prominent advocates of her cause at that time were the Senator from Mississippi and my then colleague (Mr. Preston); but they were seconded by a large portion of this body at the time. The distinguished Senator from Massachusetts bore a part in the debate, and expressed his opinion in favor of recognition at an early period, and of the vast importance of the future condition of Texas to our country. I have not had time to examine the discussion; but find that I was among those who advised delay until further information could be obtained, though many were for prompt action. But the Senator from Missouri has thought proper, in the face of these facts, to hold me up as the only individual disposed for a prompt and immediate action. He has done more. He has suppressed the fact, very important to be known, that before the close of that very session, the report of the Committee on Foreign Relations, recommending the acknowledgment of the independence of Texas, as soon as satisfactory information could be obtained that it had successfully established a government, was adopted by the unanimous vote of the Senate, including the Senator himself, and that, at the very next session, her independence was recognized.

Sir, I admit, even at that early period, I saw that the incorporation of Texas into this Union would be indispensable both to her safety and ours. I saw that it was impossible she could stand as an independent power between us and Mexico, without becoming the scene of intrigue of foreign powers, alike destructive of the peace and security

of both Texas and ourselves. I saw more: I saw the bearing of the slave question at that early stage, and that it would become an instrument in the hands of a foreign power of striking a blow at us—and that two conterminous slaveholding communities could not coexist without one being wielded to the destruction of the other. The Senator is right. What I then said was intended to shadow forth the future,—that future which actually came, when I was called, by the unanimous voice of the country, to take charge of the State Department, in reference to these events. I saw, with General Jackson, that the golden opportunity had occurred when annexation must take place in order to avoid interminable difficulties and great disasters; and, seeing it, I did not hesitate to undertake the duty which had been assigned me, notwithstanding the difficulties, from the weakness of the administration at that period. I succeeded, in despite of them, and that, too, without war; and all the elaborate efforts of the Senator from Missouri, never can deprive me of the credit to which I am entitled, in reference to the great question of annexation.

On a review of the whole, my course, I may say, exhibits not only some foresight in reference to it, but also some powers of averting the dangers, and securing the end which I desired.

Every measure towards the accomplishment of annexation had been consummated before the present administration came into power. No war followed, although the act of annexation had been completed more than a year before the rupture between us and Mexico took place; nor would war have followed at all, had we acted with ordinary prudence. That Mexico was chafed, chagrined; that she threatened much, and blustered much; talked about war, and even the existence of hostilities—is all true. It was, however, but talk. The strong should always permit the weak and aggrieved to talk, to bluster, and scold, without

taking offence; and if we had so acted, and exercised proper skill in the management of our affairs, Mexico and ourselves would, by this time, have quietly and peaceably settled all difficulties, and been good friends. We have chosen to pursue the opposite course, and are at war.

Every Senator knows that I was opposed to the war; but none knows but myself the depth of that opposition. With my conceptions of its character and consequences, it was impossible for me to vote for it. When, accordingly, I was deserted by every friend on this side of the House, including my then honorable colleague among the rest (Mr. McDuffie), I was not shaken in the least degree in reference to my course. On the passage of the act recognizing the war, I said to many of my friends, that a deed had been done from which the country would not be able to recover for a long time, if ever; and added, it has dropped a curtain between the present and the future, which to me is impenetrable; and for the first time since I have been in public life, I am unable to see the future. I also added, that it has closed the first volume of our political history under the constitution, and opened the second, and that no mortal could tell what would be written in it. These deep impressions were made upon my mind, because I saw from the circumstances under which the war was made, a total departure from that course of policy which had governed the country from the commencement of our Government until that time; and this, too, under circumstances calculated to lead to most disastrous consequences. Since then, less than a year has elapsed; but in that short period enough has already been developed to make what was then said look like prophecy.

But the Senator charges, entertaining as I did these impressions, that I did not take a stand, and arrest the march of General Taylor to the Rio del Norte. I have already stated the reasons on another occasion, why I did not; and

however unsatisfactory they may be to the Senator, they are satisfactory to myself, and I doubt not they will be to the community at large. He also intimated that I ought to have communicated my views to the President. I was guilty of no neglect in that respect. I did not fail to state in the proper quarter explicitly what I thought would result from the order given to General Taylor; but I found very different views from mine entertained there. Those in power were quite as confident that the march of General Taylor to the Del Norte would not, in its consequences, involve war, as they were that notice without compromise in reference to the joint occupancy of Oregon would not involve war with England.

In looking back upon these matters, I have the satisfaction to feel that I fully performed my duty both here and elsewhere with reference to these important questions.

With my view of the character and consequences of the war, I have forborne much. I have suffered not a little in the estimation of my friends, both in and out of Congress, for refusing to vote for the bill recognizing the existence of a war asserted to be made by the act of Mexico. I have been urged by them to explain the reasons for my course on that occasion; but I have persisted in declining to do so, because I could not see that it would be of any service to the country, while it might weaken the hands of those who are charged with the prosecution of the war. I adopted the only course which, according to my opinion, I could with propriety—to take no active or leading part in reference to measures intended for carrying on the war, but to give a quiet and silent vote in favor of all which did not seem to me decidedly objectionable; but, in the mean time, to look out for the first favorable opportunity of presenting my views how the war should be conducted to bring it most advantageously to a successful termination. I accordingly embraced the opportunity on the discussion of the Three Million Bill now before the Senate, to present my views, not in the spirit of

opposition, but of kindness to the administration,—reserving to myself the expression of my opinion as to the causes of the war for some suitable occasion. It seems, however, that the friends of those in power were not satisfied with this course on my part; it became an object of assault both in this Chamber and without its walls. The Senator from Tennessee immediately on my right (Mr. Turney) commenced the attack here, by directly charging me with being the author of the war, and it has since been followed by the Senator from Missouri on this occasion. I have thus been forced, in self-defence, to depart from the line which I had prescribed for myself, and to enter into the question, Who is the author, or the cause of the war? The responsibility is not on me, but on those who have compelled me to make the departure. Thus far, I have limited what I have said strictly to self-defence, as I shall also do in what I have yet to say.

In looking to the causes which led to the war, I go one step further back than the Senator from Maine (Mr. Evans), who discussed the subject in this aspect with great accuracy and ability. He began with Mr. Slidell's mission and negotiation. I go a step further back,—to the management of the negotiation prior to that period. When this administration came into power there were two great questions on hand connected with our foreign relations—the Oregon and the Mexican. As different as they were in their character, and as remote as the two powers were from each other, there was an intimate connection between them which could not be overlooked in conducting the negotiation, without falling into a great and dangerous error. Such at least is my opinion. I wish to say nothing to wound the feelings of the distinguished individual who had charge of the negotiation,—but it seems to me that he fell into a great error in consequence of overlooking this connection between the two subjects. To my mind it is one of the clearest of propositions, that there could be no well-founded hope of adjusting our difficulties

with Mexico until the Oregon question was finally settled. Why so? The reason is obvious. Mexico knew that we had heavy claims against her which she was little able to pay. Debtors without means are usually shy of their creditors. She could not but see that there was a chance of escaping our demands against her, provided a conflict should ensue between us and England in reference to Oregon. She could not but see more—that it might possibly afford her an opportunity of recovering either a part or the whole of Texas by an alliance with England, and availing herself of the aid of British strength and resources in waging a war against us. At all events, she would look with confidence to her being protected as an ally of England in the treaty by which the war should be terminated. Whatever objection may be made to England, she never deserted an ally in war. It seemed to me, under these circumstances, that it was a great error to suppose that the differences with Mexico could be adjusted while those with England were pending. Our true policy, then, according to my opinion, was to suspend all attempts at opening negotiations with Mexico until that question was finally settled. When that was effected, and Mexico could no longer look to the support of England in her controversy with us, she would see the folly of declining to adjust the differences between us, and of entering into conflict with a power every way so vastly her superior.

There would, then, be another advantage which would greatly favor a settlement of our difficulties with Mexico. The eloquent Senator from Louisiana has truly said that Mexico, at least so far as capital is concerned, was a British colony. The immense interest which England has in the country, would have enlisted her on the side of peace, and the whole of her vast influence would have been exerted to induce Mexico to enter into a satisfactory arrangement with us. I cannot doubt that, under the influence of these powerful causes, with a little forbearance and prudence on our part,

all the causes of difference between the two countries would, ere this, have been settled by a treaty satisfactory to both.

An opposite course was, however, unfortunately taken; both negotiations were pushed at the same time,—and that with Mexico, with as much zeal, and as strong a pressure, as that with England. The then President of the republic of Mexico (Herrera) was friendly to the United States, and anxiously disposed, on that account, as well as others, to settle the differences with us. Acting under these feelings, he acceded to the proposition to receive a Commissioner, without duly reflecting, as the events proved, on these great impediments in the minds of the Mexicans against treating with us. The result was as might have been anticipated. Paredes took advantage of the error, and hurled Herrera from power; and the effect of this premature attempt at opening negotiation, was to overthrow a friend and place an enemy in power, deeply committed against settling the differences between the two countries, and thereby—as ought to have been foreseen—greatly to increase the difficulty of any future settlement of the questions. What followed from this unfortunate step, until it ended in war between the two countries, has been so clearly traced by the Senator from Maine, as to supersede the necessity of my touching upon it.

The overlooking of the intimate connection of these two questions was not only the first link in that series of causes which finally terminated in this war, but it came near preventing the settlement of the Oregon question. Had the action of Congress, which finally led to the settlement of the Oregon question, been delayed until it was known that skirmishes had taken place between our forces and the Mexicans on the Rio Grande (but a short period), there is every reason to believe the Oregon question would not have been closed. I speak upon high authority—the escape was a narrow one. Fortunately, the British Government promptly

acted upon the notice, and tendered a proposition to our Minister on which the settlement was finally made, which he received and forwarded to our Government but a few days before news was received in England of the skirmishes on the Rio Grande. But while they fortunately occurred too late to prevent a settlement of the Oregon question, they unfortunately occurred too soon to preserve peace with Mexico. But if the policy which the administration first adopted, after annexation, had been pursued,—to occupy the frontier of Texas with our military forces to the extent of country which she held at the time of annexation, and no further, —there is every reason to believe that, on the settlement of the Oregon question, the peace of the two countries would have been preserved.

It is true Mexico claimed the whole of Texas; but it is equally true that she recognized the difference, and showed a disposition to act upon it, between the country known as Texas proper and the country between it and the Del Norte. It is also true that we and Texas recognized the same difference, —and that both regarded the boundary as unsettled, as the resolution of annexation, which provides that the boundary between Texas and Mexico shall be determined by the United States, clearly shows. It is worthy of remark in this connection, that this provision in the joint resolution is understood to have been inserted in consequence of the ground taken at the preceding session by the Senator from Missouri on the discussion of the treaty, that the Nueces was the western boundary of Texas, and that, to extend that boundary to the Rio del Norte would take in part of Tamaulipas, Coahuila, and New Mexico. What, then, ought to have been the course of the Executive after annexation under this resolution? The very one which they at first pursued—to restrict the position of our troops to the country actually occupied by Texas at the period of annexation. All beyond, as far as the Executive was concerned,

ought to have been regarded as subject to the provisions of the resolutions, which authorized the Government to settle the boundary. There are but two modes of settling a disputed boundary—one by the joint consent of both parties, that is, by treaty, of which the President and the Senate are the organs; the other, by the determination of one of the parties for itself, after failing to obtain the consent of the other, and that, under our Government, can only be done by Congress. Indeed, when we speak of our Government, it is understood to mean Congress and the Executive, acting jointly—the one by passing an act or resolution, and the other by its approval. And in Congress, taken in this sense, all discretionary power under our system of Government is invested. It is only by this power that a disputed boundary can be determined by the Government for itself, and without the consent of the other party. The President had no more right to determine on his own will what the boundary was, than I, or any other Senator. Such, indeed, appeared to be the conviction of the President himself. It is only on such a supposition that we can explain his course in attempting to open a negotiation with Mexico, with a view of settling all differences between the two countries, —among which the settlement of the boundary was considered a paramount question. Why negotiate, if it were an unsettled question? Why negotiate, if the Rio del Norte—as it was afterwards assumed—was the clear and unquestionable boundary? And if not, upon what authority, after the attempt to open negotiation had failed, could he determine what was the boundary, viewing it as an open question? Was it not his plain duty, on such an occurrence to submit the question to Congress, which was then in session, and in whom the right of establishing the boundary and declaring war was clearly invested? Had that course been adopted, I greatly mistake if the sense of this body would not have been decidedly opposed to taking any

step which would have involved the two countries in war. Indeed, I feel a strong conviction, that if the Senate had been left free to decide on the question, not one-third of the body would have been found in favor of war. As it was, a large majority felt themselves compelled, as they believed, to vote for the bill recognizing the existence of war, in order to raise the supplies of men and money necessary to rescue the army under General Taylor, on the Del Norte, from the dangers to which it was exposed.

But to bring the matter home, the Senator himself is in no small degree responsible for the war. I intend no attack on him. I have made none, and will make none. The relations between him and myself, personal and political, have long been such, that self-respect and a sense of propriety forbid my alluding to him, except when unavoidable, and then in a courteous manner; and I now allude to his course only because it is necessary to explain mine, and the motives which governed me on the occasion.

The Senate will remember, that when the President's message was received, recommending Congress to recognize that war existed between us and Mexico, and to raise the necessary means for its prosecution, the Senator from Mississippi, whose seat is immediately on my right, but who is now absent, moved to print twenty thousand copies of the message and documents. The scene was a solemn one, and what occurred will long be remembered by the members of the body. I rose and objected; and said that we were on the eve of great events, and expressed my hope that we would proceed calmly and deliberately. I suggested that the printing of so large a number of copies would be construed into an endorsement of the message; adding that I was unwilling either to endorse or condemn, until the message and documents were printed, and carefully perused by me. A debate ensued, and the Journals of the Senate will show what took place. The Senator from Missouri was the individual

who made the discreet and appropriate motion to separate the recommendations of the message into two parts—and refer that which related to recognizing the existence of war to the Committee on Foreign Relations, and that which related to the raising of men and supplies, to the Committee on Military Affairs, of which he was chairman. The latter, it was expected, would report immediate measures for the support of General Taylor. I seconded the motion, and it was carried by a large majority. I saw in it that which gave me hope that I should be able to effect the object I had in view, and which I will hereafter explain.

The House of Representatives acted with much more precipitancy; it passed a bill the very day the message was received, recognizing the existence of the war, and providing means for its prosecution. It was late in the evening when it passed the House, and I am of the impression that the Senate had adjourned; and it was not reported to it that day; but be this as it may, the next day the Senator, as Chairman of the Committee on Military Affairs, reported the bill to the Senate as it came from the House, with both provisions in it; directly contrary to the order of the Senate, made on his own motion, to refer the part of the message relating to the recognition of war to the Committee on Foreign Relations. To this, and the fact that a caucus had been held of the party which agreed to sustain the report, may be traced the precipitate (to use no stronger word) action of the Senate, and the recognition of the war. It emphatically made the war. Had the order of the Senate been respected—had the Senator from Missouri, in conformity with it, and as he was in duty bound to do, moved to strike out all that related to the recognition of the war, and referred it to the Committee on Foreign Relations, and confined his report to raising the necessary means of rescuing General Taylor and his army from the pressing dangers which surrounded them, the possibility is, that the war might have been averted, and the two countries

at this day have been at peace. Sir, I say possibility—because, even then, after the skirmishes between our forces had occurred, I did not despair of escaping war, if sufficient firmness and prudence were used on the part of this body. I had deeply reflected on the subject in advance, and great as were the difficulties, I still saw a gleam of hope.

The intelligence of the skirmishes on the Rio Grande was received here on Saturday. I at once saw the danger, and turned my mind to the subject. I anticipated that a message would be received on Monday from the Executive, and formed not an incorrect opinion as to what would be its character. Casting my eyes over the whole, with a view to avoiding war, I came to the conclusion in my own mind, what course was best to effect that object. Next morning I communicated the conclusions to which I had come to two of my colleagues, who were boarding with me—I said to them, There is but one way of escaping war, but I am not certain it will be successful. It will, however, place us in the chapter of accidents, and thereby afford a possibility of escape. I was asked what it was—and replied that it depended on separating the question of war from that which relates to the rescuing of General Taylor and his forces. Let the means necessary for the latter be immediately granted—but let time be taken for due and deliberate consideration of the former. Had this been done, it was my intention to throw my whole weight against the immediate declaration or recognition of war; treating what had occurred as mere hostilities between the two armies, without authority of the Congress—the war-making power of either Government.

We had not a particle of evidence then, or even now, that the republic of Mexico had made war against the United States. Indeed, we are in the anomalous condition of two countries being at war, during and almost an entire year, without either having declared it,—although the constitutions of both expressly provide that Congress shall declare war.

Instead, then, of recognizing war, I would have taken the very opposite ground—that what had occurred was mere hostilities, and not war, as the Congress of Mexico had not authorized it.

To provide for the contingency of the Congress of Mexico approving what had occurred, and refusing to treat for the settlement of our difficulties, I would have advised the raising of ample provisional force, to be collected at some convenient and healthy point, where they could be trained during the interval, and be fully prepared to meet such decision; but even in case such decision should be made, instead of advising a formal declaration of war, I would have advised—as General Jackson recommended—giving authority to the Executive to make reprisals for seizing and holding such portion of the Mexican territory as would afford ample indemnity,—to be retained until the differences between the two countries were settled; but, in the mean time, would have taken measures to repel the attacks made upon our army by the Mexican forces, and to drive them far beyond the limits of our borders.

Had this course been pursued, we should have had all the glory and reputation of the two brilliant victories at Palo Alto and Resaca de la Palma, without being involved in the present indefinite and expensive war waged against Mexico. We would also have had the advantage of the chapter of accidents—of Mexico disavowing hostilities, and indemnifying our citizens—either from a sense of weakness or of returning justice on her part,—or from the influence of other powers, which have an interest in preserving peace, from their commercial or other relations with her,—and thereby have saved a resort to arms on our part. But, at all events, failing in that, we would have avoided, by resorting to reprisals, the enormous expenses, the sacrifice of men and money, and the disasters to which the war has exposed us.

I have now met, and, I trust, successfully repelled, all the charges made by the Senator from Missouri, except those relating to the Missouri compromise, and the abolition question of that period, for which I am in no ways responsible. I was not then in Congress. I filled the office of Secretary of War at that time, and had no agency or control over it. His charges are as light as air—old and stale, without even plausibility, and I have not the slightest fear of their having any weight, either here or in the community.

REMARKS

Made at the Meeting of the Citizens of Charleston, Tuesday evening, March 9th, 1847.

FELLOW-CITIZENS: In complying with the request of your committee to address you on the general state of our affairs, in connection with the Federal Government, I shall restrict my remarks to the subject of our peculiar domestic institution, not only because it is by far the most important to us, but also because I have fully expressed my views, in my place in the Senate, on the only other important subject —the Mexican war.

I fully concur in the address of your committee, and the resolutions accompanying it. The facts stated are unquestionable, and the conclusions irresistible.

Indeed, after all that has occurred during the last twelve months, it would be almost idiotic to doubt that a large majority of both parties in the non-slaveholding States have come to a fixed determination to appropriate all the territories of the United States now possessed, or hereafter to be acquired, to themselves, to the entire exclusion of the slaveholding States. Assuming, then, that to be beyond

doubt, the grave, and, to us, vital question is presented for consideration: Have they the power to carry this determination into effect?

It will be proper to premise, before I undertake to answer this question, that it is my intention to place before you the danger with which we are threatened from this determination, plainly and fully, without exaggeration or extenuation,—and also the advantages we have for repelling it,—leaving it to you to determine what measures should be adopted for that purpose.

I now return to the question, and answer,—Yes, they have the power, as far as mere numbers can give it. They will have a majority in the next Congress in every department of the Federal Government. The admission of Iowa and Wisconsin will give them two additional States, and a majority of four in the Senate, which heretofore has been our shield against this and other dangers of the kind. We are already in a minority in the House of Representatives and the Electoral College; so that, with the loss of the Senate, we shall be in a minority in every department of the Federal Government, and ever must continue so if the non-slaveholding States should carry into effect their scheme of appropriating to their exclusive use all the territories of the United States. But, fortunately, under our system of government, mere numbers are not the only element of power. There are others, which would give us ample means of defending ourselves against the threatened danger, if we should be true to ourselves.

We have, in the first place, the advantage of having the constitution on our side, clearly and unquestionably, and in its entire fabric; so much so, that the whole body of the instrument stands opposed to their scheme of appropriating the territories to themselves. To make good this assertion, it is only necessary to remind you, that ours is a federal, and not a national or consolidated Government—a distinc-

tion essential to a correct understanding of the constitution, and our safety. It ought never to be forgotten or overlooked. As a federal Government, the States composing the Union are its constituents, and stand in the same relation to it, in that respect, as the individual citizens of a State do to its government. As constituent members of the Union, all the territories and other property of the Union belong to them as joint owners or partners, and not to the Government, as is erroneously supposed by some. The Government is but the agent intrusted with the management; and hence the constitution expressly declares the territory to be the property of the United States—that is, the States united, or the States of the Union, which are but synonymous expressions. And hence, also, Congress has no more right to appropriate the territories of the United States to the use of any portion of the States, to the exclusion of the others, than it has to appropriate in the same way, the forts, or other public buildings, or the navy, or any other property of the United States. That it has such a right, no one would venture to assert; and yet the one is placed exactly on the same ground with the other, by the constitution.

It was on this solid foundation that I placed the right of the slaveholding States to a full and equal participation in the territories of the United States, in opposition to the determination of the non-slaveholding States to appropriate them exclusively to themselves. It was my intention to urge them to a vote, but I was unable to do so in consequence of the great pressure of business during the last few days of the session. It was felt by those opposed to us, that if the foundation on which I placed my resolutions be admitted, the conclusion could not be successfully assailed: and hence the bold but unsuccessful attempt to assail the foundation itself, by contending that ours is a national or consolidated Government, in which the States would stand to the Union, as the counties do to the States, and be equally

destitute of all political rights. Such a conclusion, if it could be established, would, indeed, place us and our peculiar domestic institutions, at the mercy of the non-slaveholding States; but, fortunately, it cannot be maintained, without subverting the very foundation of our entire political system and denying the most incontrovertible facts connected with the formation and adoption of the constitution.

But, it may be asked, what do we gain by having the constitution ever so clearly on our side when a majority in the non-slaveholding States stand prepared to deny it? Possibly such may be the case; still we cannot fail to gain much by the advantage it gives us. I speak from long experience—I have never known truth, promptly advocated in the spirit of truth, fail to succeed in the end. Already there are many highly enlightened and patriotic citizens in those States, who agree with us on this great and vital point. The effects of the discussion will not improbably greatly increase their number; and, what is of no little importance, induce a still greater number to hesitate and abate somewhat in their confidence in former opinions, and thereby prepare the way to give full effect to another advantage which we possess. To understand what it is, it will be necessary to explain what is the motive and object of this crusade on the part of the non-slaveholding States against our peculiar domestic institution.

It is clear that it does not originate in any hostility of interests. The labor of our slaves does not conflict with the profit of their capitalists or the wages of their operatives; or in any way injuriously affect the prosperity of those States, either as it relates to their population or wealth. On the contrary, it greatly increases both. It is its products, which mainly stimulate and render their capital and labor profitable; while our slaves furnish, at the same time, an extensive and profitable market for what they make. Annihilate the

products of their labor—strike from the list the three great articles which are, most exclusively, the products of their labor, —cotton, rice, and tobacco,—and what would become of the great shipping, navigating, commercial, and manufacturing interests of the non-slaveholding States? What of their Lowell and Waltham, their New-York and Boston, and other manufacturing and commercial cities? What, to enlarge the question, would become of the exports and imports of the Union itself; its shipping and tonnage; its immense revenue, on the disbursements of which, millions in those States, directly or indirectly, live and prosper? Fortunately, then, the crusade against our domestic institution does not originate in hostility of interests. If it did, the possibility of arresting the threatened danger, and saving ourselves, short of a disrupture of the Union, would be altogether hopeless; so predominant is the regard for interest in those States, over all other considerations.

Nor does it originate in any apprehension that the slaveholding States would acquire an undue preponderance in the Union, unless restricted to their present limits. If even a full share of the territories should fall to our lot, we could never hope to outweigh, by any increased number of slaveholding States the great preponderance which their population gives to the non-slaveholding States in the House of Representatives and the Electoral College. All we could hope for would be, to preserve an equality in the Senate, or, at most, to acquire a preponderance in that branch of the Government.

But, if it originates neither in the one nor the other of these, what are the real motives and objects of their crusade against our institution? To answer this, it will be necessary to explain what are the feelings and views of the people of the non-slaveholding States in reference to it, with their effects on their party operations, especially in relation to the Presidential election.

They may, in reference to the subject under consideration be divided into four classes. Of these, the abolitionists proper—the rabid fanatics, who regard slavery as a sin, and thus regarding it, deem it their highest duty to destroy it, even should it involve the destruction of the constitution and the Union—constitute one class. It is a small one, not probably exceeding five per cent. of the population of those States. They voted, if I recollect correctly, about 15,000, or at most 20,000 votes in the last test of their strength in the State of New-York, out of about 400,000 votes, which would give about five per cent. Their strength in that State, I would suppose, was fully equal to their average strength in the non-slaveholding States generally. Another class consists of the great body of the citizens of those States, constituting at least seven tenths of the whole, and who, while they regard slavery as an evil, and as such are disposed to aid in restricting and extirpating it, when it can be done consistently with the constitution, and without endangering the peace or prosperity of the country, do not regard it as a sin, to be put down by all and every means.

Of the other two, one is a small class perhaps not exceeding five per cent. of the whole, who view slavery as we do, more as an institution, and the only one, by which two races, so dissimilar as those inhabiting the slaveholding States, can live together nearly in equal numbers, in peace and prosperity, and that its abolition would end in the extirpation of one or the other race. (If they regard it as an evil, it is in the abstract; just as government with all its toils, punishment with all its inflictions, and thousands of other things are evils, when viewed in the abstract; but far otherwise, when viewed in the concrete, because they prevent a greater amount of evil than they inflict, as is the case with slavery as it exists with us.)

The remaining class is much larger, but still relatively a small one; less, perhaps, than twenty per cent. of the whole,

but possessing great activity and political influence in proportion to its numbers. It consists of the political leaders of the respective parties, and their partizans and followers. They, for the most part, are perfectly indifferent about abolition, and are ready to take either side, for or against, according to the calculation of political chances; their great and leading object being to carry the elections, especially the Presidential, and thereby receive the honors and emoluments incident to power, both in the Federal and State Governments.

Such are the views and feelings of the several classes in the non-slaveholding States in reference to slavery, as it exists with us. It is manifest, on a survey of the whole, that the first class—that is, the abolition party proper—is the centre which has given the impulse that has put in motion this crusade against our domestic institution. It is the only one that has any decidedly hostile feelings in reference to it, and which, in opposing it, is actuated by any strong desire to restrict or destroy it.

But it may be asked how can so small a class rally a large majority of both parties in the non-slaveholding States to come to the determination they have, in reference to our domestic institution? To answer this question, it is necessary to go one step further and explain the habitual state of parties in those, and, in almost all the States of the Union.

There are few of the non-slaveholding States, perhaps not more than two or three, in which the parties are not so nicely balanced, as to make the result of elections, both State and Federal, so doubtful as to put it in the power of a small party, firmly linked together, to turn the elections, by throwing their weight into the scale of the party which may most favor its views. Such is the abolition party. They have, from the first, made their views paramount to the party struggles of the day, and thrown their weight where their views could be best promoted. By pursuing this course,

their influence was soon felt in the elections; and, in consequence, to gain them soon became the object of party courtship: first by the Whigs; but for the last twelve months, more eagerly by the Democrats, as if to make up for lost time. They are now openly courted by both; each striving by their zeal to win their favor by expressing their earnest desire to exclude what they call slavery from all the territories of the United States, acquired or to be acquired. No doubt the Mexican war, and the apprehension of large acquisition of territory to the slaveholding States, have done much to produce this state of things, but of itself it would have been feeble. The main cause or motive, then, of this crusade against our domestic institutions, is to be traced to the all-absorbing interest which both parties take, in carrying the elections, especially the Presidential. Indeed, when we reflect that the expenditure of the Federal Government, at all times great, is now swelled probably to the rate of seventy million of dollars annually, and that the influence of its patronage gives it great sway, not only over its own, but over the State elections,—which gives in addition a control over a vast amount of patronage,—and the control of the Federal patronage, with all its emoluments and honors, centres in the President of the United States,—it is not at all surprising, that both parties should take such absorbing interest in the Presidential election; acting, as both do, on the principle of turning opponents out of office, and bestowing the honors and emoluments of Government on their followers, as the reward of partizan services. In such a state of things, it is not a matter for wonder, that a course of policy, so well calculated to conciliate a party like the abolitionists, as that of excluding slavery from the territories, should be eagerly embraced by both parties in the non-slaveholding States; when by securing their support, each calculates on winning the rich and glittering prize of the Presidency. In this is to be found the motive and object of the present

crusade against our domestic institution, on the part of political leaders and their partizans in those States.

It would be a great mistake to suppose that it is the less dangerous, because it originates mainly in mere party considerations in connection with elections. It will be on that account but the more so, unless, indeed, it should be met by us with promptitude and unanimity. The absorbing, overriding interest, felt by both parties to carry the elections,—especially the Presidential,—would give such an impulse to their effort to conciliate the abolitionists, at our expense, if we should look on with apparent indifference, as would enlist in their favor the large portion of the non-slaveholding States, estimated at seven tenths of the whole, which are, as yet, well affected towards us, and utterly dishearten the small but intelligent class, which, as yet, is perfectly sound. The former would conclude, in that case, that we ourselves were ready to yield and surrender our domestic institution, as indefensible; and that the non-slaveholding States might carry their determination into full effect, without hazard to the constitution or the Union, or even disturbing the harmony and peace of the country. Indeed, such has already been our apparent indifference, that these opinions have been expressed, even on the floor of Congress. But, if we should act as we ought—if we, by our promptitude, energy, and unanimity, prove that we stand ready to defend our rights, and to maintain our perfect equality, as members of the Union, be the consequences what they may; and that the immediate and necessary effect of courting abolition votes, by either party, would be to lose ours, a very different result would certainly follow. That large portion of the non-slaveholding States, who, although they consider slavery as an evil, are not disposed to violate the constitution, and much less to endanger its overthrow, and with it the Union itself, would take sides with us against our assailants; while the sound portion, who are already with us, would rally to the

rescue. The necessary effect would be, that the party leaders and their followers, who expect to secure the Presidential election, by the aid of the abolitionists, seeing their hopes blasted by the loss of our votes, would drop their courtship, and leave the party, reduced to insignificance, with scorn. The end would be, should we act in the manner indicated, the rally of a new party in the non-slaveholding States, more powerful than either of the old, who, on this great question, would be faithful to all of the compromises and obligations of the constitution; and who by uniting with us, would put a final stop to the further agitation of this dangerous question. Such would be the certain effect of meeting, with promptitude and unanimity, the determination of the non-slaveholding States to appropriate all the territories to their own use. That it has not yet been so met is certain; and the next question is—Why has it not been, and what is the cause of this apparent indifference in reference to a danger so menacing, if not promptly and unitedly met on our part?

In answering this important question, I am happy to say, that I have seen no reason to attribute this want of promptitude and unanimity to any division of sentiment, or real indifference, on the part of the people of the slaveholding States, or their delegates in Congress. On the contrary, as far as my observation extends, there is not one of their members of Congress who has given any certain indication of either. On the trying questions connected with the Wilmot Proviso, the votes of the members from the slaveholding States, at the last and present sessions, were unanimous.—To explain what is really the cause, I must again recur to what has already been stated; the absorbing interest felt in the elections,—especially the Presidential,—and the controlling influence which party leaders and their followers exercise over them. The great struggle between the parties is, which shall succeed in electing its candidate; in consequence

of which the Presidential election has become the paramount question. All others are held subordinate to it by the leaders and their followers. It depends on them to determine whether it shall be admitted into the issue between the parties, in the Presidential contest, or whether it shall be partially or entirely excluded. Whether it shall be one or the other, is decided entirely in reference to its favorable or unfavorable bearing on the contest, without looking to the higher considerations of its effects on the prosperity, the institutions, or safety of the country. Nothing can more strongly illustrate the truth of what I have asserted, than the course of the parties in relation to the question which now claims your attention. Although none can be more intimately connected with the peace and safety of the Union, it is kept out of the issue between the parties, because it is seen that the Presidential vote of New-York, and many others of the non-slaveholding States, will, in all probability, depend on the votes of the abolitionists; and that the election of the President may, in like manner, depend on the votes of those States. And hence the leaders in them are tolerated by many of the leaders and their followers in the slaveholding States, in openly canvassing for the vote of the abolitionists, by acting in unison with them, in reference to a question, on the decision of which the safety of their own section, and that of the Union itself may depend. But while it is seen that the Presidential election may be secured by courting the abolition votes, it is at the same time seen, that it may be lost, if the consequence should be the loss of the vote of the slaveholding States; and hence the leaders are forced to attempt to secure the former without losing the latter. The game is a difficult one; but difficult as it is, they do not despair of success, with the powerful instruments which they have under their control. They have, in the first place, that of the party press, through which a mighty influence is exerted over public opinion. The line of policy adopted is

for the party press to observe a profound silence on this great and vital question, or if they speak at all, so to speak as to give a false direction to public opinion. Acting in conformity to this policy, of the two leading organs at the seat of Government, one never alludes to the question; so that, as far as its remarks are concerned, no one could suppose that it was the cause of the least agitation or feeling in any portion of the Union. The other occasionally alludes to it, when it cannot well avoid doing so, but only to palliate the conduct of those who assail us, by confounding them with our defenders as agitators, and holding both up equally to the public censure. It is calculated by pursuing this course, that the people of the slaveholding States will be kept quiet, and in a state of indifference, until another and still more powerful instrument can be brought into play, by which it is hoped that slaveholders and abolitionists will be coerced to join in nominating and supporting the same candidate for the Presidency. I allude to what is called a National Convention, or Caucus, for nominating candidates for the Presidency and Vice-Presidency. Already the machinery has been put in motion, in order to coerce the oldest and most populous of the slaveholding States; and no doubt, will, in due season, be put in motion to effect the same object in all of them. Should it succeed—should the party machinery for President-making prove strong enough to force the slaveholding States to join in a convention to nominate and support a candidate who will be acceptable to the abolitionists, they will have committed the most suicidal act that a people ever perpetrated. I say acceptable; for it is clear that the non-slaveholding States will outnumber in convention the slaveholding, and that no one who is not acceptable to the abolitionists can receive their votes;—and of course, the votes of the States where they hold the balance; and that no other will be nominated, or, if nominated, be elected. And yet, there are not a few in the slaveholding States, men of standing and influence, so

blinded by party feeling, or the prospect of personal gain or advancement by the success of their party, who advocate a step which must prove so fatal to their portion of the Union under existing circumstances. Can party folly, or rather madness, go further?

As to myself, I have ever been opposed to such conventions, because they are irresponsible bodies, not known to the constitution; and because they, in effect, set aside the constitution with its compromises, in reference to so important a subject as the election of the Chief Magistrate of the Union. I hold it far safer, and every way preferable, to leave the election where the constitution has placed it—to the Electoral College to choose; and if that fails to make a choice, to the House of Representatives, voting by States, to elect the President from the three candidates having the highest votes. But, if I had no objection to such conventions, under ordinary circumstances, I would regard the objection as fatal under the existing state of things, when all parties of the non-slaveholding States stand united against us on the most vital of all questions; and when to go into one would be, in effect, a surrender on our part. As both parties there have united to divest us of our just and equal rights in the public domain, it is time that both parties with us should unite in resistance to so great an outrage. Let us show at least as much spirit in defending our rights and honor, as they have evinced in assailing them. Let us, when our safety is concerned, show at least as firm a determination, and as much unanimity, as they do with no other interest on their part but the temporary one of succeeding in the Presidential contest. Henceforward, let all party distinction among us cease, so long as this aggression on our rights and honor shall continue, on the part of the non-slaveholding States. Let us profit by the example of the abolition party who, as small as they are, have acquired so much influence by the course they have pursued. As they make the de-

struction of our domestic institution the paramount question, so let us make, on our part, its safety the paramount question; let us regard every man as of our party, who stands up in its defence; and every one as against us, who does not, until aggression ceases. It is thus, and thus only, that we can defend our rights, maintain our honor, ensure our safety, and command respect. The opposite course, which would merge them in the temporary and mercenary party struggles of the day, would inevitably degrade and ruin us.

If we should prove true to ourselves and our peculiar domestic institution, we shall be great and prosperous, let what will occur. There is no portion of the globe more abundant in resources—agricultural, manufacturing and commercial—than that possessed by us. We count among our productions the great staples of cotton, rice, tobacco and sugar, with the most efficient, well fed, well clad, and well trained body of laborers for their cultivation. In addition to furnishing abundant means for domestic exchanges among ourselves, and with the rest of the world, and building up flourishing commercial cities, they would furnish ample resources for revenue. But far be it from us to desire to be forced on our own resources for protection. Our object is to preserve the Union of these States, if it can be done consistantly with our rights, safety, and perfect equality with other members of the Union. On this we have a right to insist. Less we cannot take. Looking at the same time to our safety and the preservation of the Union, I regard it as fortunate that the promptitude and unanimity, on our part, necessary to secure the one, are equally so to preserve the other. Delay, indecision, and want of union among ourselves would in all probability, in the end, prove fatal to both. The danger is of a character—whether we regard our safety or the preservation of the Union—which cannot be safely tampered with. If not met promptly and decidedly, the two portions of the Union will gradually become thoroughly alienated, when no

alternative will be left to us as the weaker of the two, but to sever all political ties, or sink down into abject submission. It is only by taking an early and decided stand, while the political ties are still strong, that a rally of the sound and patriotic of all portions of the Union can be successfully made to arrest so dire an alternative.

Having now pointed out the danger with which we are menaced, and the means by which it may be successfully met and resisted, it is for you and the people of the slaveholding States, to determine what shall be done, at a juncture so trying and eventful. In conclusion, it is my sincere prayer, that the Great Disposer of events may enlighten you and them to realize its full extent, and give the wisdom to adopt the best and most efficient course for our own security, and the peace and preservation of the Union.

SPEECH

On his Resolutions in reference to the War with Mexico, delivered in the Senate, January 4th, 1848.

RESOLUTIONS.

"*Resolved*, That to conquer Mexico, and to hold it, either as a province or to incorporate it in the Union, would be inconsistent with the avowed object for which the war has been prosecuted; a departure from the settled policy of the Government; in conflict with its character and genius; and, in the end, subversive of our free and popular institutions.

"*Resolved*, That no line of policy in the further prosecution of the war should be adopted which may lead to consequences so disastrous."

MR. CALHOUN said: In offering, Senators, these resolutions for your consideration, I am governed by the reasons which induced me to oppose the war, and by which I have been governed since it was sanctioned by Congress. In alluding to my opposition to the war, I do not intend to touch on the reasons which governed me on that occasion further than is necessary to explain my motives on the present.

I, then, opposed the war, not only because it might have been easily avoided; not only because the President had no authority to order a part of the disputed territory in possession of the Mexicans to be occupied by our troops; not only because I believed the allegations upon which Congress sanctioned the war untrue; but from high considerations of policy—because I believed it would lead to many and serious evils to the country, and greatly endanger its free institutions. But, after the war was declared, by authority of the Government, I acquiesced in what I could not prevent, and which it was impossible for me to arrest; and I then felt it to be my duty to limit my efforts to give such direction to the war as would, as far as possible, prevent the evils and danger with which it threatened the country and its institutions. For this purpose, at the last session, I suggested to the Senate the policy of adopting a defensive line;—and for the same purpose I now offer these resolutions. This, and this only, is the motive which governs me on this occasion. I am moved by no personal or party considerations. My object is neither to sustain the Executive nor to strengthen the opposition;—but simply to discharge an important duty to the country. In doing so, I shall express my opinion on all points with the freedom and boldness which becomes an independent Senator, who has nothing to ask from the Government or from the People. But when I come to notice those points on which I differ from the President, I shall do it with all the decorum which is due to the Chief Magistrate of the Union.

I suggested a defensive line because, in the first place, I believed that the only certain mode of terminating the war successfully was to take indemnity into our own hands by occupying defensively, with our military force, a portion of the Mexican territory, which we might deem ample for indemnity; and, in the next, because I believed it would prevent a great sacrifice of life and property; but, above all, because I believed that it was the only way we could avoid the great danger to our institutions against which these resolutions are intended to guard. The President took a different view. He recommended a vigorous prosecution of the war—not for conquest—that was emphatically disavowed—but for the purpose of conquering peace—that is, to compel Mexico to sign a treaty ceding sufficient territory to indemnify the claims of our citizens and of the country for the expenses of the war. I could not approve of this policy. I opposed it, among other reasons, because I believed there was no certainty that the object intended to be effected would be accomplished let the war be ever so successful. Congress thought differently, and granted ample provisions, in men and money, for carrying out the policy recommended by the President. It has now been fully tested under the most favorable circumstances. It has been as successful as the most sanguine hope of the Executive could have anticipated. Victory after victory followed in rapid succession, without a single reverse. Santa Anna repelled and defeated with all his forces at Buena Vista—Vera Cruz, with its castle, captured—the heights of Cerro Gordo triumphantly carried—Jalapa, Perote, and Puebla occupied—and, after many triumphant victories under the walls of Mexico, its gates opened to us, and we put in possession of the capital. But what have all these splendid achievements accomplished? Has the avowed object of the war been attained? Have we conquered peace? Have we compelled Mexico to sign a treaty? Have we obtained indemnity? No. Not a single

object contemplated by the campaign has been effected; and what is worse, our difficulties are greater now than they were at the commencement,—and the objects sought more difficult to be accomplished. To what is this complete failure to be attributed? Not to our army. It has done all that skill and gallantry could accomplish. It is to be attributed to the policy pursued. The Executive aimed at indemnity in a wrong way. Instead of taking it into our own hands, when we had territory in our possession ample to cover the claims of our citizens and the expenses of the war, he sought it indirectly through a treaty with Mexico. He thus put it out of our own power, and under the control of Mexico, to say whether we should have indemnity or not, and thereby enabled her to defeat the whole object of the campaign by simply refusing to treat with us. Owing to this mistaken policy, after a most successful and brilliant campaign, involving an expenditure of not less, probably, than $40,000,000, and the sacrifice, by the sword and by disease, of many valuable lives, probably not less than six or seven thousand, nothing is left but the glory which our army has acquired.

But, as an apology for this, it is insisted that the maintenance of a defensive line would have involved as great a sacrifice as the campaign itself. The President and the Secretary of War have assigned many reasons for entertaining this opinion. I have examined them with care. This is not the proper occasion to discuss them,—but I must say, with all due deference, they are, to my mind, utterly fallacious; and to satisfy your mind that such is the case, I will place the subject in a single point of view.

The line proposed by me, to which I suppose their reasons were intended to be applied, would be covered in its whole extent—from the Pacific Ocean to the Paso del Norte, on the Rio Grande—by the Gulf of California and the wilderness peopled by hostile tribes of Indians, through which no Mexican force could penetrate. For its entire occupancy

and defence, nothing would be required but a few small vessels of war stationed in the gulf, and a single regiment to keep down any resistance from the few inhabitants within. From the Paso del Norte to the mouth of the river, a distance of a few hundred miles, a single fact will show what little force will be necessary to its defence. It was a frontier between Texas and Mexico, when the former had but an inconsiderable population—not more than an hundred and fifty thousand at the utmost, at any time—with no standing army, and but very few irregular troops; yet for several years she maintained this line without any, except slight occasional intrusion from Mexico, and this too when Mexico was far more consolidated in her power, and when revolutions were not so frequent, and her money resources were far greater than at present. If, then, Texas alone, under such circumstances, could defend that frontier for so long a period, can any man believe that now, when she is backed by the whole of the United States,—now that Mexico is exhausted, defeated, and prostrated—I repeat, can any man believe that it would involve as great a sacrifice to us of men and money, to defend that frontier, as did the last campaign? No. I hazard nothing in asserting, that, to defend it for an indefinite period would have required a less sum than the interest on the money spent in the campaign, and fewer men than were sacrificed in carrying it on.

So much for the past. We now come to the commencement of another campaign, and the question recurs, What shall be done? The President, in his message, recommends the same line of policy—a vigorous prosecution of the war—not for conquest, that is again emphatically disavowed; not to blot Mexico out of the list of nations; no, he desires to see her an independent and flourishing community—and assigns strong reasons for it—but to obtain an honorable peace. We hear no more of conquering peace, but I presume that he means by an honorable peace the same thing;

that is, to compel Mexico to agree to a treaty, ceding a sufficient part of her territory, as an indemnity for the expenses of the war, and for the claims of our citizens.

I have examined with care the grounds on which the President renews his recommendation, and am again compelled to dissent. There are many and powerful reasons—more so, even, than those that existed at the commencement of the last campaign—to justify my dissent. The sacrifice in money will be vastly greater. There is a bill for ten additional regiments now before the Senate, and another for twenty regiments of volunteers has been reported, authorizing, in all, the raising of an additional force of something upwards of thirty thousand. This, in addition to that already authorized by law, will be sufficient to keep an effective army in Mexico, of not much, if any, less than seventy thousand men, and will raise the expenses of the campaign to probably not less than sixty millions of dollars.

To meet so large an expenditure would involve, in the present and prospective condition of the money market, it is to be apprehended, not a little embarrassment. Last year money was abundant, and easily obtained. An unfortunate famine in Europe created a great demand for our agricultural products. This turned the balance of trade greatly in our favor, and specie poured into the country with a strong and steady current. No inconsiderable portion of it passed into the treasury, through the duties, which kept it full, in spite of the large sums remitted to meet the expenses of the war. The case is different now. Instead of having a tide flowing in, equal to the drain flowing out, the drain is now both ways. The exchanges now are against us,—instead of being in our favor,—and instead of specie flowing into the country from abroad, it is flowing out. In the mean time, the price of stocks and treasury notes, instead of being at or above par, have both fallen below, to a small extent. The effects of the depreciation of treasury notes

will cause them to pass into the treasury in payment of the customs and other dues to the Government, as the cheaper currency, instead of gold and silver; while the expenses of the war, whether paid for by the transmission of gold and silver direct to Mexico, or by drafts drawn in favor of British merchants or other capitalists there, will cause whatever specie may be in the vaults of the treasury to flow from it, either for remittance direct, on account of the ordinary transactions of the country, or to pay the drafts which may be drawn upon it, and which, when paid, in the present state of exchanges, will be remitted abroad. But this process of paying in treasury notes instead of gold and silver, and gold and silver flowing out in both directions, cannot continue long without exhausting its specie, and leaving nothing to meet the public expenditure, including those of the war, but treasury notes. Can they, under such circumstances, preserve even their present value? Is there not great danger that they will fall lower and lower, and finally involve the finances of the Government and the circulation of the country in the greatest embarrassment and difficulty?

Is there not great danger, with this prospect before us, and with the necessity of raising by loans near forty millions, of a commercial and financial crisis—even possibly a suspension by the banks. I wish not to create panic; but there is danger, which makes a great difference in a financial and moneyed point of view between the state of things now and at the commencement of the last session. Looking to the future, it is to be apprehended that not a little difficulty will have to be encountered in raising money to meet the expenses of the next campaign, if conducted on the large scale which is proposed. Men you may raise, but money will be found difficult to obtain. It is even to be apprehended that loans will have to be negotiated on very disadvantageous terms for the public. In the present state of things, if they grow no worse, there can be no resort to treasury notes. They

cannot be materially increased, without a ruinous depreciation, and a resort must be had, exclusively, or almost entirely so, to borrowing. But at the present prices of stocks, to borrow so large a sum as will be necessary, can only be done at a greatly increased rate of interest on the nominal amount of stock. In a recent conversation with a gentleman, well informed on this subject, he said that in his opinion, if forty millions are required, a loan could not be had for more than ninety for one hundred, which would be about at the rate of seven per cent.

These are formidable objections; but they are not the only ones that are more so than they were at the commencement of the last campaign. I hold that the avowed object for the vigorous prosecution of the war is less certain of being realized *now*, than it was then; and if it should fail to be realized, it will leave our affairs in a far worse condition than they are at present. That object, as has been stated, is to obtain an honorable treaty; one which, to use the language of the President, will give indemnity for the past and security for the future—that is, a treaty which will give us a cession of territory, not only equal to our present demand for indemnity, but equal to the additional demand —equal to the entire expenses to be incurred in conducting the campaign; and a guaranty from the Government of Mexico for its faithful execution. Now, Senators, I hold that whether the war is successful or unsuccessful, there is not only no certainty that this object will be accomplished, but almost a certainty that it will not be. If the war be unsuccessful; if our arms should be baffled, as I trust and believe they will not be; if, from any unfortunate accident, such should be the case, it is clear that we shall not be able to negotiate a treaty that will accomplish the object intended. On the contrary, if the war should be successful, it is almost equally certain that, in such case, the avowed object for prosecuting the war vigorously, will not be accomplished. I

might take higher ground, and maintain that the more successfully the war is prosecuted, the more certainly the object avowed will be defeated, while the objects disavowed would as certainly be accomplished.

What is the object of a vigorous prosecution of the war? How can it be successful? I can see but one way of making it so, and that is,—by suppressing all resistance on the part of Mexico,—overpowering and dispersing her army, and utterly overthrowing her Government. But if this should be done; if a vigorous prosecution of the war should lead to this result, how are we to obtain an honorable peace? With whom shall we treat for indemnity for the past and security for the future? War may be made by one party, but it requires two to make peace. If all authority is overthrown in Mexico, where will be the power to enter into negotiation and make peace? Our very success would defeat the possibility of making peace. In that case the war would not end in peace, but in conquest; not in negotiation, but in subjugation; and defeat, I repeat, the very object you aim to accomplish,—and accomplish that which you disavow to be your intention, by destroying the separate existence of Mexico,—overthrowing her nationality, and blotting out her name from the list of nations,—instead of leaving her a free Republic, which the President has so earnestly expressed his desire to do.

If I understand his message correctly, I have his own authority for the conclusion to which I come. He takes very much the same view that I do, as to how a war ought to be prosecuted vigorously, and what would be its results, —with the difference as to the latter resting on a single contingency, and that a remote one. He says that the great difficulty of obtaining peace results from this,—that the people of Mexico are divided under factious chieftains, and that the chief in power dare not make peace, because for doing so he would be displaced by a rival. He also says,

that the only way to remedy this evil and to obtain a treaty, is to put down the whole of them, including the one in power, as well as the others. Well, what then? Are we to stop there? No. Our generals are, it seems, authorized to encouraged and to protect the well disposed inhabitants in establishing a republican government. He says they are numerous, and are prevented from expressing their opinions and making an attempt to form such a government, only by fear of those military chieftains. He proposes, when they have thus formed a government, under the encouragement and protection of our army, to obtain peace by a treaty with the government thus formed, which shall give us ample indemnity for the past and security for the future. I must say I am at a loss to see how a free and independent republic can be established in Mexico under the protection and authority of its conquerors. I can readily understand how an aristocracy or a despotic government might be, but how a free republican government can be so established, under such circumstances, is to me incomprehensible. I had always supposed that such a government must be the spontaneous wish of the people; that it must emanate from the hearts of the people, and be supported by their devotion to it, without support from abroad. But it seems that these are antiquated notions—obsolete ideas—and that free popular governments may be made under the authority and protection of a conqueror.

But suppose the difficulties surmounted, how can we make a free government in Mexico? Where are the materials? It is to be, I presume, a confederated government like their former. Where is the intelligence in Mexico for the construction and preservation of such a government? It is what she has been aiming at for more than twenty years, but so utterly incompetent are her people for the task, that it has been a complete failure from first to last. The great body of the intelligence and wealth of Mexico is

concentrated in the priesthood, who are naturally disinclined to that form of government; the residue, for the most part, are the owners of the haciendas, the larger planters of the country, but they are without concert and destitute of the means of forming such a government. But if it were possible to establish such a government, it could not stand without the protection of our army. It would fall as soon as it is withdrawn.

If it be determined to have a treaty, it would be a far preferable course, it appears to me, to abstain from attacking or destroying the government now existing in Mexico, and to treat with it, if indeed it be capable of forming a treaty which it could maintain and execute. Upon this point I do not profess to have any information beyond that derived from conversations with those who have been in Mexico; but from all that I can hear, it may be doubted, whether we have not already pushed what is called a vigorous prosecution of the war so far, as not to leave sufficient power and influence in the Government to enter into a treaty which would be respected, when our forces are withdrawn. Such I know to be the opinion of intelligent officers. They concur in thinking that the existing Government at Queretaro, if it should enter into a treaty in conformity with the views expressed by the Executive, would be overthrown, and that we should be compelled to defend that portion of Mexico which we require for indemnity defensively, or be compelled to return and renew the prosecution of the war. If such is its weakness, it may be apprehended that even now, without pushing the vigorous prosecution of the war further, we are greatly exposed to the danger which these resolutions are intended to guard against, and that it requires great discretion and prompt action on our part to avoid it.

But before leaving this part of the subject, I must enter my solemn protest, as one of the Representatives of a State

of this Union, against pledging protection to any government established in Mexico under our countenance or encouragement. It would inevitably be overthrown as soon as our forces are withdrawn; and we would be compelled, in fulfilment of plighted faith, implied or expressed, to return and reinstate such Government in power, to be again overturned and again reinstated, until we should be compelled to take the government into our own hands, just as the English have been compelled again and again to do in Hindostan, under similar circumstances, until it has led to its entire conquest. Let us avoid following the example which we have been condemning, as far back as my recollection extends.

The President himself entertains doubt, whether the plan of forming a government in the manner which I have been considering, and treating with it for indemnity, may not fail. In that case, he agrees that the very course to which I have said the vigorous prosecution of the war will inevitably lead, must be taken. He says, after having attempted to establish such a government—after having employed the best efforts to secure peace—if all fail, "we must hold on to the occupation of the country. We must take the full measure of indemnity into our own hands, and enforce such terms as the honor of the country demands." These are his words. Now, what is this? Is it not an acknowledgment, that if he fail in establishing a government with which he can treat, in Mexico—after putting down all resistance under the existing Government, we must make a conquest of the whole country, and hold it subject to our control? Can words be stronger? "Occupy the whole country"—"take the full measure of indemnity"—no defensive line—no treaty, and, "enforce terms." Terms on whom? On the Government? No, no, no. To enforce terms on the people individually. That is to say, to establish a government over them in the form of a province.

The President is right. If the vigorous prosecution of

is continued, and the more numerous our army, the greater will be the debt, and the heavier the burden imposed upon the country.

If these views be correct, the end of the policy recommended by the President—whether contemplated or not—will be, to force the Government to adopt one or the other alternative alluded to in these resolutions. With this impression, I cannot support the policy he recommends, for the reasons assigned in the first resolution. The first of these is, that it would be inconsistent with the avowed object for which the war has been prosecuted. That it would be so, is apparent from what has already been said. Since the commencement of the war until this time, the President has continually disavowed the intention of conquering Mexico, and subjecting her to our control. He has constantly proclaimed that the only object was indemnity, and that the war is prosecuted to obtain it by treaty. And yet, if the results should be as I have stated, the end will be, that what was disavowed will be accomplished, and what has been avowed to be its object, will be defeated. Such a result would be a deep and lasting impeachment of the sincerity or the intelligence of the Government—of its sincerity, because directly opposed to what it has continually and emphatically disavowed; of its intelligence, for not perceiving what ought to have been so readily anticipated.

We have heard much of the reputation which our country has acquired by this war. I acknowledge it to the full amount, as far as the military is concerned. The army has done its duty nobly, and conferred high honors on the country, for which I sincerely thank them; but I apprehend that the reputation acquired does not go beyond this,—and that, in other respects, we have lost instead of acquiring reputation by the war. It would seem certain, from all publications from abroad, that the Government itself has not gained reputation in the eyes of the world for justice, moderation, or wisdom.

the war should be successful, and the contingency on which he expects to make a treaty fail, there will be no retreat. Every argument against calling back the army and taking a defensive line will have double force, after having spent $60,000,000, and acquired the possession of the whole of Mexico;—and the interests in favor of keeping possession would be much more powerful then than now. The army itself will be larger—those who live by the war, the numerous contractors, the merchants, the sutlers, the speculators in land and mines, and all who are profiting directly or indirectly by its prosecution, will be adverse to retiring, and will swell the cry of holding on to our conquests. They constitute an immense body of vast influence, who are growing rich by what is impoverishing the rest of the country.

It is at this stage that the President speaks of taking the indemnity into our own hands. But why delay it until the whole country is subdued? Why not take it now? A part of Mexico would be a better indemnity now, than the whole of Mexico would be at the end of the next campaign, when $60,000,000 will be added to the present expenditures. We would indeed acquire a control over a much larger portion of her population, but we would never be able to extort from them, by all the forms of taxation to which you can resort, a sum sufficient to pay the force necessary to hold them in subjection. That force must be a large one,—not less, certainly, than 40,000 men, according to the opinion of the Senator from Mississippi (Mr. Davis), who must be regarded as a competent judge upon this point. He stated in debate the other day, that the army now there, exceeding that number, are in danger; and urged, on that account, the immediate passage of the bill to raise ten regiments. On this subject, it is as well to speak out plainly at once. We shall never obtain indemnity for the expenditures of the war. They must come out of the pockets of the people of the United States; and the longer the war

is continued, and the more numerous our army, the greater will be the debt, and the heavier the burden imposed upon the country.

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Whether this be deserved or not, it is not for me to inquire at present. I am now speaking merely of reputation; and in this view it appears that we have lost abroad, as much in civil and political reputation as we have acquired for our skill and valor in arms. But much as I regard military glory—much as I rejoice to witness the display of that indomitable energy and courage which surmounts all difficulties—I would be sorry indeed that our Government should lose any portion of that high character for justice, moderation, and discretion, which distinguished it in the early stages of our history.

The next reason assigned is, that either holding Mexico as a province, or incorporating her into the Union, would be unprecedented by any example in our history. We have conquered many of the neighboring tribes of Indians, but we have never thought of holding them in subjection, or of incorporating them into our Union. They have been left as an independent people in the midst of us, or been driven back into the forests. Nor have we ever incorporated into the Union any but the Caucasian race. To incorporate Mexico would be the first departure of the kind; for more than half of its population are pure Indians, and by far the larger portion of the residue mixed blood. I protest against the incorporation of such a people. Ours is the government of the white man. The great misfortune of what was formerly Spanish America, is to be traced to the fatal error of placing the colored race on an equality with the white. This error destroyed the social arrangement which formed the basis of their society. This error we have wholly escaped; the Brazilians, formerly a province of Portugal, have escaped also to a considerable extent, and they and we are the only people of this continent who made revolutions without anarchy. And yet, with this example before them, and our uniform practice, there are those among us who talk about erecting these Mexicans into territorial governments, and

placing them on an equality with the people of these States. I utterly protest against the project.

It is a remarkable fact in this connection, that in the whole history of man, as far as my information extends, there is no instance whatever of any civilized colored race, of any shade, being found equal to the establishment and maintenance of free government, although by far the largest proportion of the human family is composed of them; and even in the savage state, we rarely find them any where with such governments, except it be our noble savages; for noble I will call them for their many high qualities. They, for the most part, had free institutions, but such institutions are much more easily sustained among a savage than a civilized people. Are we to overlook this great fact? Are we to associate with ourselves, as equals, companions, and fellow-citizens, the Indians and mixed races of Mexico? I would consider such association as degrading to ourselves, and fatal to our institutions.

The next remaining reasons assigned, that it would be in conflict with the genius and character of our Government, and, in the end, subversive of our free institutions, are intimately connected, and I shall consider them together.

That it would be contrary to the genius and character of our Government, and subversive of our free popular institutions, to hold Mexico as a subject province, is a proposition too clear for argument before a body so enlightened as the Senate. You know the American constitution too well,—you have looked into history, and are too well acquainted with the fatal effects which large provincial possessions have ever had on the institutions of free states,—to need any proof to satisfy you how hostile it would be to the institutions of this country, to hold Mexico as a subject province. There is not an example on record of any free state holding a province of the same extent and population, without disastrous consequences. The nations conquered and held as a province,

have, in time, retaliated by destroying the liberty of their conquerors, through the corrupting effect of extended patronage and irresponsible power. Such, certainly, would be our case. The conquest of Mexico would add so vastly to the patronage of this Government, that it would absorb the whole powers of the States; the Union would become an imperial power, and the States reduced to mere subordinate corporations. But the evil would not end there; the process would go on, and the power transferred from the States to the Union, would be transferred from the Legislative Department to the Executive. All the immense patronage which holding it as a province would create,—the maintenance of a large army, to hold it in subjection, and the appointment of a multitude of civil officers necessary to govern it,—would be vested in him. The great influence which it would give the President, would be the means of controlling the Legislative Department, and subjecting it to his dictation, especially when combined with the principle of proscription which has now become the established practice of the Government. The struggle to obtain the Presidential chair would become proportionably great—so great as to destroy the freedom of elections. The end would be anarchy or despotism, as certain as I am now addressing the Senate.

Let it not be said that Great Britain is an example to the contrary; that she holds provinces of vast extent and population, without materially impairing the liberty of the subject, or exposing the Government to violence, anarchy, confusion, or corruption. It is so. But it must be attributed to the peculiar character of her government. Of all governments that ever existed, of a free character, the British far transcends all in one particular,—and that is, its capacity to bear patronage without the evils usually incident to it. She can bear more, in proportion to population and wealth, than any government of that character that ever existed:—I might even go further, and assert than despotism itself in its

most absolute form. I will not undertake to explain why it is so. It will take me further from the course which I have prescribed for myself, than I desire; but I will say, in a few words, that it results from the fact that her Executive and the House of Lords (the conservative branches of her Government) are both hereditary, while the other House of Parliament has a popular character. The Roman Government exceeded the British in its capacity for conquest. No government ever did exist, and none probably ever will, which, in that particular, equalled it; but its capacity to hold conquered provinces in subjection, was as nothing compared to that of Great Britain; and hence, when the Roman power passed beyond the limits of Italy, crossed the Adriatic, the Mediterranean, and the Alps, liberty fell prostrate; the Roman people became a rabble; corruption penetrated every department of the Government; violence and anarchy ruled the day, and military despotism closed the scene. Now, on the contrary, we see England, with subject-provinces of vastly greater territorial extent, and probably of not inferior population (I have not compared them); we see her, I repeat, going on without the personal liberty of the subject being materially impaired, or the Government subject to violence or anarchy! Yet England has not wholly escaped the curse which must ever befall a free government which holds extensive provinces in subjection; for, although she has not lost her liberty, or fallen into anarchy, yet we behold the population of England crushed to the earth by the superincumbent weight of debt and taxation, which may one day terminate in revolution. The wealth derived from her conquests and provincial possessions may have contributed to swell the overgrown fortunes of the upper classes, but has done nothing to alleviate the pressure on the laboring masses below. On the contrary, the expenses incident to their conquest, and of governing and holding them in subjection, have been drawn mainly from their labor, and have increased instead of de-

creasing the weight of the pressure. It has placed a burden upon them which, with all their skill and industry,—with all the vast accumulation of capital and power of machinery with which they are aided,—they are scarce capable of bearing, without being reduced to the lowest depths of poverty. Take, for example, Ireland,—her earliest and nearest conquest,—and is it not to this day a cause of heavy expense, and a burden, instead of a source of revenue?

On the contrary, our Government, in this particular, is the very reverse of the British. Of all free governments, it has the least capacity, in proportion to the wealth and population of the country, to bear patronage. The genius of the two, in this particular, is precisely opposite, however much alike in exterior forms and other particulars. The cause of this difference, I will not undertake to explain on the present occasion. It results from its federal character and elective chief magistrate; and so far from the example of Great Britain constituting a safe precedent for us to follow, the little she has gained from her numerous conquests and vast provincial possessions, and the heavy burdens which it has imposed upon her people to meet the consequent expenses, ought to be to us a warning never to be forgotten; especially when we reflect that, from the nature of our Government, we would be so liable to the other and greater evils from which she, from the nature of her Government, is, in a great measure, exempted. Such and so weighty are the objections to conquering Mexico, and holding it as a subject province.

Nor are the reasons less weighty against incorporating her into the Union. As far as law is concerned, this is easily done. All that is necessary is to establish a territorial government for the several States in Mexico,—of which there are upwards of twenty,—to appoint governors, judges, and magistrates,—and to give to the population a subordinate right of making laws—we defraying the cost of the government. So far as legislation goes, the work will be done; but

there would be a great difference between these territorial governments, and those which we have heretofore established within our own limits. These are only the offsets of our own people, or foreigners from the same countries from which our ancestors came. The first settlers in the territories are too few in number to form and support a government of their own, and are under obligation to the Government of the United States for forming one for them, and defraying the expense of maintaining it; knowing, as they do, that when they have sufficient population, they will be permitted to form a constitution for themselves, and be admitted as members of the Union. During the period of their territorial government, no force is necessary to keep them in a state of subjection. The case will be entirely different with these Mexican territories; when you form them, you must have powerful armies to hold them in subjection, with all the expenses incident to supporting them. You may call them territories, but they would, in reality, be but provinces under another name, and would involve the country in all the difficulties and dangers which I have already shown would result from holding the country in that condition. How long this state of things would last, before they would be fitted to be incorporated into the Union as States, we may form some idea, from similar instances with which we are familiar. Ireland has been held in subjection by England for many centuries;—and yet remains hostile, although her people are of a kindred race with the conquerors. The French colony in Canada still entertain hostile feelings towards their conquerors, although living in the midst of them for nearly one hundred years. If we may judge from these examples, it would not be unsafe to conclude that the Mexicans never will be heartily reconciled to our authority. The better class have Castilian blood in their veins, and are of the old Gothic stock—quite equal to the Anglo-Saxons in many respects, and in some superior. Of all the people upon

earth, they are the most pertinacious; they hold out longer, and often when there would seem to be no prospect of ever making effectual resistance. It is admitted, I believe, on all hands, that they are now universally hostile to us, and the probability is, will continue so.

But suppose this difficulty removed. Suppose their hostility should cease, and they should become desirous of being incorporated into our Union. Ought we to admit them? Are the Mexicans fit to be politically associated with us? Are they fit not only to govern themselves, but for governing us also? Are any of you, Senators, willing that your State should constitute a member of a Union, of which twenty odd Mexican States, more than one-third of the whole, would be a part, the far greater part of the inhabitants of which are pure Indians, not equal in intelligence and elevation of character to the Cherokees, Choctaws, or any of our Southern Indian tribes?

We make a great mistake in supposing all people are capable of self-government. Acting under that impression, many are anxious to force free governments on all the people of this continent, and over the world, if they had the power. It has been lately urged in a very respectable quarter, that it is the mission of this country to spread civil and religious liberty over all the globe, and especially over this continent—even by force, if necessary. It is a sad delusion. None but a people advanced to a high state of moral and intellectual excellence are capable in a civilized condition, of forming and maintaining free governments; and among those who are so far advanced, very few indeed have had the good fortune to form constitutions capable of endurance. It is a remarkable fact in the political history of man, that there is scarcely an instance of a free constitutional government, which has been the work exclusively of foresight and wisdom. They have all been the result of a fortunate combination of circumstances. It is a very difficult task to make

a constitution worthy of being called so. This admirable federal constitution of ours, is the result of such a combination. It is superior to the wisdom of any or all of the men by whose agency it was made. The force of circumstances, and not foresight or wisdom, induced them to adopt many of its wisest provisions.

But of the few nations who have been so fortunate as to adopt a wise constitution, still fewer have had the wisdom long to preserve one. It is harder to preserve than to obtain liberty. After years of prosperity, the tenure by which it is held is but too often forgotten; and I fear, Senators, that such is the case with us. There is no solicitude now about liberty. It was not so in the early days of the republic. Then it was the first object of our solicitude. The maxim then was, that "Power is always stealing from the many to the few;" "The price of liberty is perpetual vigilance." Then no question of any magnitude came up, in which the first inquiry was not, "Is it constitutional?"—"Is it consistent with our free, popular institutions?"—"How is it to affect our liberty?" It is not so now. Questions of the greatest magnitude are now discussed without reference or allusion to these vital considerations. I have been often struck with the fact, that in the discussions of the great questions in which we are now engaged, relating to the origin and the conduct of this war, their effect on the free institutions and the liberty of the people have scarcely been alluded to, although their bearing in that respect is so direct and disastrous. They would, in former days, have been the great and leading topics of discussion; and would, above all others, have had the most powerful effect in arousing the attention of the country. But now, other topics occupy the attention of Congress and of the country—military glory, extension of the empire, and the aggrandizement of the country. To what is this great change to be attributed? Is it because there has been a decay of the spirit of liberty

among the people? I think not. I believe that it was never more ardent. The true cause is, that we have ceased to remember the tenure by which liberty alone can be preserved. We have had so many years of prosperity—passed through so many difficulties and dangers without the loss of liberty—that we begin to think that we hold it by right divine from heaven itself. Under this impression, without thinking or reflecting, we plunge into war, contract heavy debts, increase vastly the patronage of the Executive, and indulge in every species of extravagance, without thinking that we expose our liberty to hazard. It is a great and fatal mistake. The day of retribution will come; and when it does, awful will be the reckoning, and heavy the responsibility somewhere.

I have now shown, Senators, that the conquest of Mexico, and holding it as a subject province, or incorporating it into our Union, is liable to the many and irresistible objections assigned in the first resolution. I have also shown that the policy recommended by the President, if carried out, would terminate, in all probability, in its conquest, and holding it either in one or the other mode stated; and that such is the opinion of the President himself, unless, in the mean time, peace can be obtained. Believing, then, that this line of policy might lead to consequences so disastrous, it ought not, in my opinion, in the language of the second resolution, to be adopted. Thus thinking, I cannot give it my support. The question is then presented—What should be done? It is a great and difficult question, and daily becoming more so. I, who have used every effort in my power to prevent this war, might excuse myself from answering it, and leave it to those who have incurred greater responsibility in relation to it. But I will not shrink from any responsibility where the safety of the country or its institutions are at stake.

The first consideration in determining what line of policy, in the present state of things, ought to be adopted, is to

decide what line will most effectually guard against the dangers which I have shown would result from the conquest of Mexico, and the disastrous consequences which would follow it.

After the most mature reflection which I have been able to give to the subject, I am of opinion now, and have been from the first, that the only one by which it can be certainly guarded against, is to take the question of indemnity into our own hands—to occupy defensively, and hold subject to negotiation, a portion of the territory of Mexico, which we may deem ample to cover all proper claims upon her, and which will be best suited to us to acquire, and least disadvantageous to her to lose. Such was my impression when the message of the President of the United States recommended to Congress the recognition of the existence of a war with Mexico. My view, at that time, as to the proper course to be pursued, was to vote the supplies, to rescue General Taylor and his army from the dangers which surrounded them, and take time to determine whether we should recognize the war or not. Had it been adopted, I would have insisted on raising a provisional army, to be collected at some proper point, and to be trained and disciplined: but to postpone the declaration of war until the Congress of Mexico, in which, according to her Constitution, the war-making power resided, should be allowed time to disavow the intention of making war on us, and to adjust all differences between the two countries. But if she refused, even then I would have advised to seize, by way of reprisal, the portion of her territory which we might select, and hold it defensively, as I have just stated, instead of declaring war formally against her; and that mainly for the purpose of avoiding the very dangers against which these resolutions are intended to guard. But such was the urgency which was supposed then to exist, that no time was allowed to present or press these views upon the Senate. Such a course, besides

earth, they are the most pertinacious; they hold out longer, and often when there would seem to be no prospect of ever making effectual resistance. It is admitted, I believe, on all hands, that they are now universally hostile to us, and the probability is, will continue so.

But suppose this difficulty removed. Suppose their hostility should cease, and they should become desirous of being incorporated into our Union. Ought we to admit them? Are the Mexicans fit to be politically associated with us? Are they fit not only to govern themselves, but for governing us also? Are any of you, Senators, willing that your State should constitute a member of a Union, of which twenty odd Mexican States, more than one-third of the whole, would be a part, the far greater part of the inhabitants of which are pure Indians, not equal in intelligence and elevation of character to the Cherokees, Choctaws, or any of our Southern Indian tribes?

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ciled—how you can refuse to take indemnity in territory, when you have voted means for the express purpose of obtaining such indemnity. The people are not able to understand why you should vote money so profusely to get indemnity, and refuse to take it, when obtained; and hence public opinion has been brought so decidedly to the conclusion not to terminate the war without territorial indemnity. But if such indemnity is to be had without involving the hazard of conquering the country, with all the dangers to which it would expose us, we must decide whether we shall adopt a defensive position or not, now—this very session. It will, in all possibility, be too late at the next.

I have now, Senators, delivered my sentiments with freedom and candor, upon all the questions connected with these resolutions. I propose nothing now. But if I find that I will be supported, I will move to raise a Committee to deliberate upon the subject of the defensive line.

The opportunity is favorable, while there are so many officers from Mexico now in the city, whose opinion would be of great value in determining on the one to be adopted. If the course of policy which I have suggested should be adopted, we may not get peace immediately. The war may still continue for some time; but be that as it may, it will accomplish the all-important object—will extricate the country from its entanglement with Mexico.

SPEECHES

On the Ten Regiment Bill, and in reply to Mr. Davis of Mississippi, and Mr. Cass; delivered in the Senate, March 16th and 17th, 1848.

[The Senate having resumed the consideration of the Bill making provision for an addition to the regular military force, Mr. Calhoun addressed the Senate as follows:—]

After a very careful examination, I have not been able to find a single argument, which, in my opinion, would justify the passage of this bill, at this time, and under existing circumstances. I cannot but feel that those who have come to a different conclusion have overlooked the actual condition of the Mexican Government, and of the people of Mexico, in supposing that this bill was necessary either to intimidate or to coerce that Government into a ratification of the treaty recently acted upon here. If that Government were strong and vigorous—if the people of Mexico were united in resistance to us, and capable of sustaining a war in the event that the treaty shall not be ratified, there might be strong reasons for passing this bill. But such is not the case. On the contrary, the very opposite is. The Government itself is little more than a shadow, without an army and without revenue; the people in a state of distraction, with a large and powerful party in opposition to the Government and for a continuance of the war—not in hostility to us, but in hostility to their own Government, which they desire should be overthrown. The Government itself exists by our forbearance, and under our countenance; they have been induced to treat with us from the dread of their annihilation, and we to treat with them from the same consideration. For, strange as it may appear, the very motive that induced Mexico to treat

with us, induced us to treat with her. She dreaded her annihilation, and so did we. It is difficult to say which would be subjected to the greatest evil in consequence of her annihilation. The danger is, not that the Mexican Government, in the event of the rejection of the treaty, would be able to resist, but it is, that it may perish before she can ratify it. But, if I am mistaken in all this, one thing is clear: without these ten additional regiments, we have the means of intimidating or coercing that Government to any extent we please. A single brigade can annihilate it. But even if we should choose to avoid this, we hold another power in our hands, that is ample to induce her to ratify the treaty, provided there be any hesitation on her part. We would, in that case, have but to tell her that we will adopt the boundary agreed upon in the treaty, and thus save ourselves the vast sum of twenty millions of dollars, which rumor states we are to give for the ceded territory. To obtain this sum was her inducement to agree to the treaty, and the fear of losing it would be sufficient to induce her to ratify it, provided the Mexican Government can maintain itself until it has acted upon the treaty, including the amendments made by this body.

In this view of the subject, I regard the passage of this bill, if it be intended either for the purpose of intimidation or coercion, to be entirely useless—an unmeaning bravado. But it is worse than useless; it is mischievous, and will prove to be mischievous both here and there. Mischievous here, for if this body, conversant with all the secret proceedings in reference to the treaty, and supposed by the country to be fully informed of every thing in relation to the subject, should pass the bill now before us, it will be received by the public as an apprehension on our part that there is great danger that the treaty will not be ratified, and the effect upon our commerce, and upon the money interest of the country, will be highly injurious. It will be mischievous there, for the real danger that the Mexican Government has to fear, is

this: there is a large party in Mexico called Puros, which is unwilling to see a peace concluded between the Mexican Government and this country; unwilling—not because they are our friends or enemies, but simply for the reason that they wish to see that Government annihilated, and the power placed in their hands. Now if the impression produced there by the passage of this bill should be, that there is danger that the treaty will not be ratified, it will arouse and animate that party to double exertion, in order to fulfil their object.

But I consider it not only useless, not only mischievous in the light which I have indicated, but it will be a costly bravado. I take it for granted that the honorable Chairman of the Committee on Military Affairs does not intend simply that this bill shall pass this body—that would be unworthy of his character. He then expects that it will also pass the other branch of Congress, and become a law, and that the force will be raised and be employed, if the treaty should fail, in carrying on the war with Mexico. Well, if the bill passes—and I must consider it in that light—in that case, what will be the result? There will be no difficulty in getting officers and men. Officers will greedily seek the honors and the emoluments attached to command, and the men will readily enlist, for they will have no apprehension of going to Mexico or fighting future battles. The enlistment will turn out to be a profitable speculation. Each recruit will receive, on enlistment, a bounty in land of 160 acres, and in money of twelve dollars. He will also receive the issue of clothing usual on such occasions, equal, at the present time, to about twenty-one dollars; estimating the bounty in land at one dollar and twenty-five cents an acre, that item alone would make $2,000,000. Add the other two items, and the whole would not be less than two millions three or four hundred thousand dollars. Add to this the pay and emoluments of the officers, the pay to the soldiers, the expense for their subsistence, and the expense of their recruiting, and it will be

found that the passage of this bill will subject the Government to the sum of $3,000,000, even if the treaty should be ratified and not a man ever go to Mexico—no small sum for an unmeaning bravado. But the mischief will not end here; the appointment of five hundred officers and this great expenditure would confer vast patronage on the President, and that, too, on the eve of a Presidential election, when it is always brought into the highest degree of activity. I will not attempt to show that it would be a great evil to increase the patronage of the Executive. It is already enormously great, as every man of every party must acknowledge, if he would candidly express his sentiments. Now I submit to my friends on this side of the Chamber, who would be responsible for the passage of this bill, are you prepared to add this great additional sum to the already heavy debt incurred in the prosecution of this war, and this great increase of patronage to that which the war has already added, for an idle bravado, unbecoming a great and magnanimous government, as I have already clearly shown?

But I not only object to the passage of this bill at this time, and under existing circumstances, but I take higher ground; I am opposed to the bill at all times and under all circumstances. I would have voted against it if the treaty had not been made, for reasons conclusive to my mind, as I shall next proceed to state.

We all know the history of the origin of this bill. It was reported early this session, and originated in the message of the President recommending a vigorous prosecution of the war. Its leading and main object was to carry that recommendation into effect, as has often been stated on this floor by the Chairman of the Military Committee, and others, who have advocated its passage. Indeed, it has been repeatedly acknowledged that it would not be necessary but for that purpose. If then we should pass this bill, according to my

ecutive, and to the country, that if the treaty should fail, we will resort to the vigorous prosecution of the war, in conformity to the President's recommendation at the opening of the session. I, for one, am unwilling to give such a pledge —unwilling, because I think it ought not to be given, if it could be redeemed; and unwilling, because, if given, I am of the impression it never could be redeemed.

I have assigned fully, on a former occasion, the reasons why I am opposed to what is called a vigorous prosecution of the war. I will not repeat them here, further than to state that I am opposed to it: first, because it will annihilate the Mexican Government, and leave no authority in that distracted country with whom we could treat; and next, because the effect of that would be to subject the whole country, and throw on us one of two alternatives—either to create a Government by our own authority, with which to treat (to which no true republican would ever assent), or to hold it as a conquered country, to be governed as a subject province, or incorporated into this Union. Now as I am utterly opposed to either of these results, I cannot give this pledge.

Nor can I give it, because I have not the least expectation that, if given, it will ever be redeemed. The sentiment of the whole country is remarkably changed, since the commencement of this session, in reference to the war. There was, at that time, a large party scattered over every portion of the country in favor of conquering the whole of Mexico. To prove that such was the case, it is only necessary to refer to the proceedings of numerous large public meetings, to declarations repeatedly made in the public journals, and to the opinions expressed by officers of the army and individuals of standing and influence, to say nothing of declarations made here and in the other House of Congress. But this sentiment is now changed. And why is it changed? Because the people were not aware at that time, that what was

called a vigorous prosecution of the war would, under existing circumstances, inevitably lead to the consequences I have stated, whether intended or not. But as soon as they saw that such would be the consequences, they drew back, and put the seal of their reprobation upon them, not only for the present, but I trust for ever. Such being the case, it is an idle dream to suppose that in the event of the failure of a treaty, this war would ever be renewed to be carried on vigorously, with a certain knowledge of the results to which it will lead. It is, indeed, highly honorable to the good sense and patriotism of our people, that seeing that the result of the policy recommended would be to conquer Mexico, to be held as a subject province, or incorporated in this Union, they have raised a nearly unanimous voice of reprobation against it, in despite of the temptation held out to their pride, ambition, and cupidity, by the advocates of a vigorous prosecution of the war.

But, it may be asked, what shall be done if the treaty be not ratified by Mexico? Should such be the case, no alternative would remain but to adopt the line of boundary established by the treaty, to take possession of the country covered by it, and defend it against Mexico, if she should ever attempt to disturb our possession, which is hardly probable. She is too weak, distracted, and exhausted, even if she should be so inclined. Nor would we be subject to any additional cost, compared to what we would be subject in holding the country in our possession under the treaty; for it would take fully as large an army, and as great expense, to protect Mexico, under the stipulations of the treaty, against the Indians falling on our side of the line, as it would take to protect ourselves against the Mexicans, by assuming the line without the treaty; while we would save the large sum of twenty millions of dollars, in the latter case, to be paid to Mexico in the former. Indeed, the whole affair is in our own hands, whether the treaty fails or not, if we do

but exercise a little common sense, and avoid, what I detest above all things—a system of menace and bravado into which we have lately fallen in the management of our negotiations. I had hoped that this system had been abandoned for ever after the bad success which has attended it. It was resorted to in the Oregon negotiation, and would have terminated in involving us in a war with England, but for the firmness and wisdom of this body. It was resorted to in our negotiations with Mexico. The order to Gen. Taylor to march to the Rio Grande constituted a part of it. I cannot believe that the President, in giving the order, contemplated, or even believed, it would lead to a conflict between the armies of the two countries, because if he did it would have been an impeachable offence. It was intended but as a menace to bring Mexico to terms, but, unfortunately, under circumstances which prevented the interposition of the Senate to prevent a conflict, as in the case of Oregon, and this unhappy war, which we now so much desire to terminate, was the consequence.

But the vigorous prosecution of the war was not the only avowed object for introducing this bill; it was, indeed, the primary and principal one; but there was another, secondary, it is true, though not much less important. It was intended, in part, to carry into execution a system of imposts and taxes, imposed by the President, by his own authority, upon Mexico. The army, including the very force to be raised by this bill, was intended to be used for collecting these duties and imposts; and for that purpose, as it was avowed and officially announced, was to be spread all over Mexico.

Now, I hold we cannot pass this bill without sanctioning the act of the President in imposing this system of imposts and taxes. This I never can do, because I am under a deep conviction that the President has no right whatever to impose them, and that in so doing he acted without the author-

ity of constitution or law, and established a precedent, which, if it be not reversed, will be fatally dangerous to the liberty and institutions of the country. Thus thinking, I would not be true to my trust if I did not raise my voice against it. I would, indeed, have been glad not to have been forced, at this time, to do so. My friends around me know that I was anxious that this bill should not be pressed to its passage now. Not that I desired to shun the responsibility of expressing my opinion, but because I preferred postponing it until after the treaty was ratified, when there would be no pretence for raising the cry of giving "aid and comfort" to the enemy. But as it has been resolved to force the bill through, and as this is the first measure proposed since the adoption of the system, a vote on which would sanction it, I feel myself compelled by the highest obligation of duty to state my reasons for opposing it. If, under circumstances, it involves any respnsibility, it ought to fall, not on me, but upon those who, without any necessity, as I have shown, have forced me to express my opinions.

But, to return to the discussion. I ask, where can the President find authority for laying duties and taxes on the commerce and people of Mexico? If it exists at all, it must be found in the constitution or the laws; can it be found in the former? If so, point it out. Can it be found in the laws? If so, point it out. It will not be pretended that either confers, expressly, any such authority upon him; but it may be said, that it is embraced in his implied powers; that is, the powers necessary and proper to carry into execution those expressly vested in him. If so, point out the powers expressly vested in him by the constitution, which this is necessary and proper, to carry into execution. But, let me say to the advocates of this bill, if you could succeed in doing this, which you cannot, it will not remove the difficulty; for, by showing that it is an implied power, you but impose upon yourselves the necessity

of pointing out some act of Congress authorizing its exercise. The framers of our constitution had the sagacity to vest in Congress all implied powers; that is, powers necessary and proper to carry into effect all the delegated powers wherever vested. I refer to what is usually called its residuary clause, which provides that "Congress shall have power to pass all laws necessary and proper to carry into execution the foregoing powers (that is, powers vested in Congress), or powers vested in any of the departments or officers of the Government." It matters not, then, in what department or branch of the Government a power may be vested, whether in the Legislative, the Executive, or Judiciary, or in this or that officer of the Government, it belongs to Congress, and exclusively to Congress, under this express provision, to pass all laws necessary and proper for carrying it into execution.

The effect of this important and sagacious provision is to vest Congress with all the discretionary power; and of course, making it necessary for the other departments to show an express provision of the constitution or some act of Congress to authorize the exercise of any power whatever. It is thus that this Government is made a Government of constitution and law, and not of discretion. And of course the advocates of the bill, even if they could show it to be an implied power, must still show an act of Congress authorizing its exercise.

But it may be said that the President is commander-in-chief of the army of the United States, including the portion in Mexico, and that it is essential to his power, in that character, to impose a system of taxation in case of a foreign war in the enemy's country. If, indeed, it be essential to his power, as is supposed, it results that it cannot be separated from it without destroying the power itself, and it must of course belong to him, as commander-in-chief, wherever he exercises its powers, and, of course, as well in

the United States as in Mexico, or any other conquered country. But it is manifest that it cannot be essential to his power in that character within the limits of the United States, because the constitution expressly vests the power of taxation, not in the President, but in Congress. To this it may be replied, that there is a distinction between exercising the power in the United States and exercising it in Mexico, or any other place beyond the bounds of the United States, where our army may be operating. To those who make this reply, I put the question, Why so? What makes the distinction? What possible reason can be assigned why the power may be exercised in one and not in the other? Who can answer these questions?

But if it be a fact that the President can exercise in Mexico a power expressly delegated to Congress, and which he cannot exercise in the United States, I would ask what are the limits to his power in Mexico? Has he the power also of appropriating the money collected by the taxes without the sanction of Congress, when the constitution expressly provides that no money shall be appropriated without authority of law? Has he the power to apply the money to whatever purpose he may think proper, and among others, to raise a military force in Mexico, without the sanction of Congress, when the constitution expressly vests the power of raising and maintaining armies in Congress? If he can exercise these important powers expressly given to another department, what is there to prevent him from exercising all the powers of the constitution, or any other that he may think proper? If so, he stands in a twofold character in the two countries—the constitutional President of the United States, and the absolute and despotic ruler of Mexico. To what will this lead? What may he not do? He may lay taxes at his pleasure, either as to kind or amount—he may establish rules and regulations for their collection. He may dispose of them as he sees fit, without

passing their proceeds into the treasury. He may of course raise armies, and pay them out of the proceeds of the taxes. May, do I say—he has already done all this upon his own exclusive authority, without deigning to consult Congress. How much further may he not go? May he not wage war on his own authority against the adjacent country of Guatimala and the South American States, to the extreme limits of the continent? May he not equip a fleet and attack the islands of the South Sea, or conquer Japan, or the adjacent parts of the continent? May he not, finally, turn his army against his own country, and make it the instrument of her subjugation? All this he may do, if it once be conceded that he has the power of doing what this bill is in part intended to enable him to do, without the possibility of Congress preventing.

But, it may be asked, do I deny him all power,—and if not, what are the limits of his power in Mexico? No: I admit that he has power and important power—nor am I at a loss to assign its limits. The constitution assigns to him the power of commanding in chief the army, wherever stationed—a power which gives him the command in chief, and no more; that is, the supreme control in conducting and directing the army in its military operations. Such is the true interpretation of these words. They confer neither more nor less power. Instead of conferring an absolute power, as is supposed, they confer relatively a very restricted one, of which the constitution and legislation of the country furnish many evidences. The very act which recognizes this war with Mexico, furnishes a striking illustration. Upon its face it shows that the act of recognizing or declaring war did not necessarily carry with it the authority even of employing either the army or navy for its prosecution—for the power of employing both is expressly vested in him by the act. If we look back to other acts declaring war, we shall find that they, in like manner, confer the same power. If

we turn from these to the laws for suppressing insurrection, or repelling invasion, we shall find their framers deemed it necessary to authorize the President to employ the militia and the army for the purpose. If we turn to the constitution, we shall there find decisive evidence of its being regarded by its framers as a power within narrow limits. For if there be any power which one would suppose might be inferred to belong to the commander-in-chief, it would be that of establishing rules and regulations for the government of the army and navy, and yet this very power is given by an express provision to Congress. Is it not strange that with all this evidence, and much more that might be added, going to show how restricted the power of the President as commander-in-chief is, there should be any one, and especially any professing popular principles, who would give the unlimited and despotic power claimed for the President in Mexico?

But, it may be asked, has the conqueror no power to impose taxes on a conquered country? Yes, he certainly has. When an army invades a country and subdues it, in whole or in part, the conqueror has unquestionably the right; but under our system of government, the question occurs, Who is the conqueror? I answer, the people of the United States. It is they who have conquered Mexico—not the Government—not the President—not the Generals—not the Army! These are but the instruments by which they effected the conquest; and it is the people of the United States, in the character of conqueror, that have the exclusive right to impose taxes. But who represents the United States?—who is the organ through which they must act for the purpose? I answer, this Government—the Federal Government of these States—consisting of the Executive, Legislative, and Judicial Departments—each in its proper sphere. The question then is, Within what sphere does the President properly and exclusively represent the United States in a con-

quered country? The answer is, in no other than that of commander-in-chief of the army and navy. In almost all other respects Congress is the sole representative, and to them especially belongs, by express delegation, the power of laying and collecting taxes, without restriction or distinction, as far as the authority of the United States extends. Now, it is an established principle of international law, that wherever a country is subdued, even in part, its sovereignty is for the time suspended, and that of the conquering, substituted in its place. Of course, in our case, with the sovereignty of the people of the United States the authority of their Government, through its respective departments, attaches to it, in like manner as if it were a part of the United States, each acting in its appropriate sphere. The opposite doctrine, which would make the President the sole and exclusive representative of the sovereignty of the United States in such cases, is entirely destitute of authority, and would lead to all the monstrous consequences which have been traced. All this is so clear, that it is not a little surprising that it should have been overlooked in the prosecution of this war, or that there should have been any division or diversity of sentiment in reference to it; and as the taxes, which are the subject of these remarks, were imposed by the President in the interval between this and the preceding session, and as this is the first opportunity I have had to express my opinion in reference to the subject, as I have already stated, I avail myself of the occasion to put in my most solemn protest against the power. If it should become a precedent in future wars, it would lead to consequences of the most fatal character. It would elevate the power of the President above that of the other departments and the constitution itself, and end, almost necessarily, in establishing despotic authority in that branch of the Government. The danger is imminent. We are a warlike people, rapidly increasing in numbers, population, and wealth—well fed and well clothed,

and having abundance of leisure—like all such people, we seek excitement; and there is no excitement more seductive to the young and ardent portion of our population than war. It is difficult to prevent such a people from rushing into war on any pretence; and if they should frequently recur, and this precedent be not reversed, nothing can prevent the Executive power from overshadowing the constitution and liberties of the country. We now have an opportunity to reverse it, if we think proper, by giving a strong and decided vote against a bill, the passage of which, as has been shown, is perfectly useless, and even worse than useless.

It is proper to remark, in conclusion, that I am aware that there are some doubtful questions as to the extent of the power of the President, in his character of commander-in-chief. Among these may be ranked that of levying contributions, in the strict sense of the term, and establishing temporary governments. I will not now enter on the investigation whether they belong to him or not, but my impression is, that in the portion of the enemy's country in which the authority of the United States is established for the time, he has not the right, without the sanction of law, to levy contributions, or to establish temporary governments. In coming to this conclusion, I readily concede to the President, as commander-in-chief, many and great powers, but they are such as arise out of exigencies immediately connected with the operations of the army, and its success or safety; among them I include the power of seizing supplies of every description, and of removing every obstacle necessary to be removed for security or victory. For that purpose, towns and cities may be battered down and destroyed; but when he undertakes to exercise power, on his own authority, over subdued territories, unconnected with the operations of the army, he exercises, in my opinion, a power not belonging to him. Congress may, by law, indeed, authorize him to levy contributions, or to establish temporary governments in such terri-

tory; but it is one thing to exercise it on his own authority, and another to exercise it under the authority of law. The one places him under the control of law, while the other places him above its control.

I have now expressed my opinion. In all I have said I have put myself, I trust, above party feelings or personal considerations. I am actuated by the single motive, a desire to prevent an unconstitutonal and dangerous act from becoming a precedent, which there is great cause to fear it would, if not noticed or exposed.

[MARCH 17.—The same subject being again under consideration, Mr. Calhoun addressed the Senate as follows:—]

I rise to make a very few remarks. When I addressed the Senate yesterday, in reply to the question, What shall we do if the treaty is not ratified? I answered—Take possession of the country which is ceded to us by that instrument, occupy it, and defend it. The worthy Senator from Michigan (Mr. Cass) says, he is at a loss to understand what I mean by that. Well, there is not much difference between us. I am at a loss to understand why he cannot understand it. It appears to me to be one of the plainest propositions in the world. He has hunted up a thousand imaginary difficulties that never did exist, and never can exist, in order to make good his case. Does he wish to know how my plan can be carried out? I point to the case of Texas. The whole of the eastern frontier, according to the line ceded to us by the treaty, was the boundary which Texas claimed as against Mexico. Now, does not every man know, that for seven long years Texas held possession of that frontier to the Nueces, without a single invasion on the part of Mexico, and that at a time when Texas had not more than three or four companies of regulars altogether? Now, Sir, if Texas could hold that line then, is there any difficulty with Texas in

doing it now, as far as the Rio Grande, when she has doubled her population, and is backed by the whole of the United States? And yet the worthy Senator from Michigan cannot understand it? It is impossible that he can understand it! Again, as to California, he is, if possible, more at a loss. His first great difficulty is as to our occupying the Gulf of California. If the Senator will remember, the line that I proposed passed through the whole extent of the Gulf of California, and if he will look at the map he will find it is a very broad expanse of water. He will find that it covers a very large portion of California—all the settled and inhabited portion of California. If he will look at the statistics of Mexico, he will find that she has not a single armed vessel. Now, what I asserted was, that a few armed vessels—one or two steamers among them—occupying that expanse of water, would be sufficient to secure us against all attacks of Mexico on that portion of the line; and yet the Senator could not understand it! It is, as I understand, with him a sort of metaphysical idea! Now, as to the residue of that line. The whole length of it is about four or five hundred miles, from the head of the Gulf to the Paso del Norte. That is all that remains to be defended. Well, the whole of the country covered by that line is inhabited by Indian tribes, so powerful that there is no fear of Mexico invading it. They invade Mexico! They are too powerful for her; and it will not require a single soldier to be stationed on its whole extent to protect us against Mexico. There may be some protection necessary against the Indians. Indeed, California is so remote from Mexico, and the difficulty of approach so great, that the mere handful of people in California have been enabled, in fact, to have almost an independent government there. I venture to say that not a single regiment will be needed there—that the Americans now there, together with the natives, who are well affected towards us, and desirous of seeing our authority established, will be quite adequate to

defend it against Mexico for ever, with the aid of a few vessels in the Gulf of California.

Now, I venture to present what no doubt will appear to the Senator a very bold proposition: the cost would be vastly less to fall back and occupy the country without the treaty, than to occupy it under the treaty. I beg the especial attention of the Senator. Under the treaty—I may speak of what every one knows perfectly well—a large mass of Indians is thrown on our side of the line, and, from the necessity of the case, we shall be compelled to defend Mexico against these Indians; or, if we should not, and Mexico should have force enough, she will have the right to pass over and attack these Indians within our limits, to which we could not submit. For that purpose, then, we will be obliged to establish a line of military posts along the whole length of the Gila, from the Paso del Norte to the head of the Gulf of California. But it would require a larger and more expensive force to occupy this long line of posts, so as to defend Mexico against the Indians, than would be necessary to occupy and defend the country against the Mexicans themselves. The reason is obvious. The Gulf of California, as I have stated, will cover, with a few vessels, the whole of the settled part of California; and the intervening Indian tribes between the head of the Gulf of California and the Paso del Norte would effectually cover us from the possibility of an attack on that part of the line from the Mexicans. Nor would it be necessary to have any considerable force to protect us against the Indians, as their hostility to Mexico, and their love of plunder, would direct their warfare exclusively against Mexico. Thus the long line, of which the Senator spoke, of fifteen hundred miles, could, to its whole extent, from the Pacific Ocean to the Paso del Norte, be defended by a small force, and at an inconsiderable expenditure, if held without the treaty. The only remaining part is that from the Paso to the Gulf of Mexico, along the Rio del Norte; and we know

from the experience of Texas, how little that will probably cost. Now, if we add to this difference in the cost of defending the country without the treaty, and of defending under the treaty, the large sum of fifteen or twenty millions of dollars, which will be saved if Mexico refuses to ratify the treaty, there can be no doubt but we will be great gainers, in a pecuniary point of view, if she should refuse to ratify.

But I understand the drift of the Senator's remarks in this particular. He and I entertained directly opposite opinions as to what should be done, in case the treaty should not be ratified. He is, in that event, for a vigorous prosecution of the war, and hence his vigorous attack upon the policy of which, in that case, I am in favor, and exaggerated statement of the expense and difficulty of maintaining it. Indeed, there has been a standing conflict between the two lines of policy, almost from the commencement of the war, and hence the assaults of a similar character, which have been repeatedly made on that which I have maintained, and with the same view, by those who support the policy maintained by the Senator. But I have no fear—none in the world—that we shall ever return to a "vigorous prosecution of the war." That day is gone. You cannot vitalize the policy. It is buried. The country would consider it the greatest misfortune that could befall us, if we were to reopen and renew the Mexican war. The tide of public opinion is running with irresistible force against it. I have no apprehension of it. But I do desire that, in the mean time, the public mind shall not be occupied with an idea which will prevent it from falling readily into its natural position, if this treaty should be ratified; for if the treaty should not be ratified, it is plain that we must keep possession of the country, and defend it.

Every Senator can speak of his course and his votes in the secret session. I voted for the treaty, and I supported it. But did I do that because I regarded it as preferable to the

course which I indicated at the commencement of this and last session? No, Sir, not at all. I did it for two reasons. In the first place, I was anxious to terminate this war on any reasonable ground, and was determined to avail myself of the earliest opportunity of terminating it; for I hold it to be pregnant of evil of the most dangerous character, if it continues. In the next place, it is the natural way of terminating hostilities between nations; and many of my friends whom I see around me will testify that I have declared, for the last three or four weeks, that I was in favor of allowing the administration reasonable time to make a treaty. But at the same time I was not ignorant of the many advantages of a defensive line. And again, I take this opportunity to say, that so far as my voice is concerned, I wish it now to be established, as I hope it will be, by the ratification of the treaty. I hope we never shall take, by an aggressive war, one foot of territory by conquest. We pay by the treaty the full value—more than the full value—a hundred times more than the full value, as far as Mexico is concerned; for it is worse than useless to her,—and the full value as far as we are concerned, and I rejoice it is so. I wish to square accounts liberally and justly with Mexico, and we have done so, and hence my desire that Mexico shall ratify this treaty, and receive this money.

These are my views. As to the other remarks which the Senator was pleased to make, with regard to my speech of yesterday, I pass them by without comment, except as they relate to the right of the President to establish a system of taxes in Mexico. I listened to the Senator, as I always do, with attention, and I must say, if I could have entertained a doubt as to the truth of the position which I assumed yesterday, all doubt would be dispelled. We know that the gentleman is deeply versed in the principles of law, of great intelligence, and capable of investigating questions of this character. I expected, when he rose, that he would meet the

points which were presented; that he would attempt to show their fallacy, and exhibit the true principles which ought to govern us in this case, if mine were false. I was disappointed. As far as I understood the Senator—and if I be in error, I hope he will correct me—he assumes one broad position, which, in my judgment,—I say it with great deference,—is without a particle of truth to sustain it. He assumes that the President, in consequence of the declaration of war, has an unlimited power in Mexico. Am I right?

MR. CASS. Unlimited, except by the restrictions imposed by the law of nations.

MR. CALHOUN. Well, then, the law of nations does not prohibit an order of nobility. Can he create nobles in Mexico? Give me the answer.

MR. CASS. Is that one of the incidents of the war-making power?

MR. CALHOUN. I repeat it. Can he establish an order of nobility?

MR. CASS. I would not give much for the patents of nobility.

MR. CALHOUN. Can he establish an order of nobles?

MR. CASS. Without going into any detail, I may state, that the commander-in chief and his generals may do any act, in the prosecution of the war in Mexico, which is not prohibited by the law of nations. All I can do is to lay down general principles. It cannot be expected that I should go into details of all that may or may not be done.

MR. CALHOUN. I did not intend this as an irrelevant or impertinent question, and I must regard the Senator's refusal to deny, as an admission, on his part, that the President has the power. Indeed, it followed necessarily from the principle laid down by him. It would indeed be an important power in the hands of the President, to bring and subject a conquered country under his arbitrary rule. The Senator acknowledges that the power is a very dangerous

one. It is indeed a dangerous power, if it be as unlimited as he contends for. Can he create a field-marshal in Mexico? The Senator will not doubt that if the President could raise an army there, he can create a field-marshal. I hold it to be the most monstrous proposition ever uttered within the Senate, that conquering a country like Mexico, the President can constitute himself a despotic ruler, without the slightest limitation on his power. If all this be true, war is indeed dangerous! If that be the fact, we ought never to engage in a war of conquest. If that be the fact, there are double reasons for the ratification of the treaty, and fleeing the country.

There is a tendency in all parties, when they have been for a long time in possession of power, to augment it. It has been the fortune of the popular party in this country to hold possession of the government for a great length of time, and it is no more than human nature that the effect of that long-continued tenure should be the creation of a fondness of power, that, necessarily, diminishes the love of liberty. This love of power leads men to strike at those provisions of the constitution which restrict power. I believe that the popular party of this country have resisted this tendency for a great length of time to a considerable extent; but it is impossible for any man who reads the early history of that party not to be impressed with the conviction that it has departed from the principles which then characterized it. The declaration of the Chairman of the Committee on Military Affairs this evening, proves a great departure, beyond all controversy. I did not believe that there was a man in this country—certainly not that there was one in the Senate—who would declare that the President of the United States, as commander-in-chief of the army in Mexico, has no restrictions on his power but those imposed by the law of nations.

Mr. Cass. After the Senator has concluded I may say what I did declare.

MR. CALHOUN. I will gladly hear the Senator now.

MR. CASS. When the honorable Senator from South Carolina has finished—

MR. CALHOUN. Then I shall finish now.

MR. CASS. What I maintain is, that the commander-in-chief and the generals under him have a right to do any act of war justified by the law of nations, and it belongs to every officer of the army, from a general down to a corporal. I went at large into the question, in the remarks which I had the honor to make to-day. The course taken in Mexico has been fully justified by the practice of war in all ages. Whether the contribution be in cash or kind, the principle is the same. One word as to the line which the honorable Senator has laid down. I have presented the objections to it which, to my judgment, are decisive, and I need not repeat them. No public opinion in the world could permit such a thing as the establishment of a line behind which an operating army must retire. If you are at war with an enemy, you cannot stop upon a given line. But Texas pursued the enemy; and whenever you follow the enemy beyond the line, the project is abandoned.

MR. CALHOUN. But the Senator puts the question, How can I justify the army in performing any act not authorized expressly by law? I take the ground, that the army may do under the President, as commander-in-chief, any thing that properly belongs to him in that character. Now, the extent is not defined; it is governed by the exigencies of war. I believe I use the very terms employed in the elementary works upon this subject. But these acts must relate to war, and not to legislate for a conquered country. Now, if you mean that an army in operation can seize provisions of every description, means of transportation, and so on, I never denied it; but if you mean to say, that after the country is conquered, the commander-in-chief may levy either taxes or contributions, I deny the doctrine altogether.

MR. DAVIS (of Mississippi). The President has clearly the right to move the army of the United States into any portion of its territory.

MR. CALHOUN (in his seat). Certainly not into disputed territory.

MR. DAVIS. The Senator says that the President has not the right to move the army into any disputed territory. When we annexed Texas, we left this boundary question open for negotiation. The administration sought assiduously to settle the question by negotiation. What, then, is the argument of the Senator? When the opposite party refuse to settle the question by negotiation, are we to be estopped? Are we to allow the enemy to wrest from us the dominion which we claim as ours of right? If so, what is this but a broad invitation to every land to dispute the boundary with us? But I would ask the honorable Senator, how comes it, that even before the annexation of Texas, the navy of the United States was ordered to the Gulf of Mexico for the protection of Texas?

MR. CALHOUN. The answer is obvious. The Gulf of Mexico is the common property of all nations. It is not disputed. But though we had a right to lay off Vera Cruz, we had not the right to enter the harbor of Vera Cruz.

MR. DAVIS. Was it not the gentleman's own order to make a naval demonstration against Vera Cruz?

MR. CALHOUN. I have no knowledge of such an order. Will the Senator permit me to notice another point? He indicated that the President had a right to march the army into any disputed territory. Am I right?

MR. DAVIS. I do not consider it disputed territory.

MR. CALHOUN. The Senator says he does not consider it disputed territory:—in that he differs from the resolutions annexing Texas, for they expressly admit the country to the east of the Del Norte, to a certain extent at least, to be disputed territory, by providing that the boundary between

Texas and Mexico shall be settled by the Government of the United States. Now, as Texas never claimed any country beyond the Del Norte, it results, necessarily, that the point to be settled was, whether the boundary of Texas extended to that river or not, admitting, of course, that country lying east, to some extent, was disputed territory. Now, I ask, how is a question of disputed territory to be settled? There can be but two modes. By negotiation or war. As far as it relates to the former, the President, with the Senate, represent exclusively the United States; but when negotiation fails to settle a disputed boundary, nothing is more clear, that if it becomes necessary to resort to war to establish the boundary, in that case, the power passes out of the hands of the President into that of Congress, which, under the constitution, exclusively possesses the war-making power; and that it belongs, in that case, exclusively to Congress, to determine where the boundary is, and, if it thinks proper, to authorize the President to establish it by force. The great mistake of the Senator, and those who think with him, is to look exclusively to the question between Mexico and the United States, and to overlook entirely the question between the departments of our own Government. As between the United States and Mexico, there can be no doubt, that when negotiation failed, the United States had the right to establish by force the boundary for themselves. But the question is, through what department? Through the President, or through Congress? The very statement of this question is sufficient to decide it to all who have the least knowledge of our constitution. The error of the Senator consists in supposing, that when the President failed to negotiate with Mexico in reference to the boundary, his failure gave him the right to determine on his own authority, without consulting Congress, which was the boundary, and to occupy by force the disputed territory; when in fact the failure of the negotiation exhausted his power, and left him no means of acting

but by submitting the question to Congress for its decision. It is really wonderful to those who have been in this body for any considerable length of time, that there should be any question on these points.

It may be proper to add, that the power of the President and Senate is so rigidly restricted to negotiating and making treaties, that although they may make, they have no authority to set aside a treaty when it is violated by the opposite party. That power belongs not even to the Judiciary, but to Congress—of which there is a remarkable instance in reference to the treaty made between France and the United States, during the war of the Revolution. That treaty was so outrageously violated by France during her revolutionary struggle, that it became necessary, on our part, to disavow any further obligation under it; and that was done by a joint resolution of Congress, declaring it to be null and void. This precedent has never been questioned. It shows that the power was restricted within the limits I have assigned.

Assuming these views to be correct, I put the question to the Senator, How could the President, on his own authority, order General Taylor to occupy a territory which the resolutions of Congress and the act of Texas acceding to them, admitted to be disputed territory between her and Mexico; and that, too, without consulting or even advising Congress of the order, although Congress was at that time in session? I hold that the President had no more right to order the army to march into the disputed territory, than he had to order it to march into Mexico. I might appeal to the whole history of our country, in reference to this point, for the truth of this position. There are many cases that bear upon it. Among others, I might cite those which occurred under the administration of General Washington. It is known to all the least conversant with our history, that Great Britain, after the treaty of peace, held on not only to Detroit, which was near the frontier, and then in the woods, but to Fort

Stanwix, now Rome, in the very heart of the State of New-York, from 1783 to 1794, without any attempt on the part of General Washington to disturb her possession. He never dreamed of attacking either without authority of Congress; and if he had, there was no one at that day who would not have considered it as a flagrant violation of the constitution. To this I may add, we had a question of disputed boundary in Maine, arising out of the same treaty, which remained open under all administrations down to a very late period, that of Mr. Tyler's administration; yet there was not any attempt whatever on the part of the many Presidents, in this long intervening period, to assert by force the right of the United States to the disputed territory. I never heard the principle laid down anterior to this war with Mexico, that the President, on his own authority, had the right to march the army into a disputed territory.

REMARKS

On the Resolutions of Mr. Allen of Ohio, congratulating the French Nation on the success of their Revolutionary Struggle; made in the Senate, March 30th, 1848.

[MR. HALE having moved an amendment to the resolutions, and a reference of the whole subject to the Committee on Foreign Relations, Mr. Calhoun rose, and said:—]

I DO not perceive the slightest necessity for referring this resolution to the committee, and on that point I entirely concur with the views of the mover of it. The resolution is simple; it requires no examination of details, and the Senate

is just as competent to form an opinion of its merits as any committee can possibly be.

I do not intend to enter at present into the great question presented in the resolution. To act upon it now, would, in my judgment, be premature. The people of France have done much. They have made a mighty revolution. They have overthrown an old and powerful monarchy, and decreed the establishment of a republic. All this they have accomplished in a very short period, and without any extraordinary bloodshed or confusion. It is indeed calculated to excite our wonder, and, so far as the aim of the French people extends, our lively sympathy. But the time has not yet arrived for congratulation. Much remains to be done. The real work to be performed is yet before them. They have decreed a republic, but it remains for them to establish a republic. If the French people shall succeed in that,—if they shall prove themselves to be as wise in constructing a proper constitution, as they have proved themselves to be skilful in demolishing the old form of government,—if they shall really form a constitution which shall on one hand guard against violence and anarchy, and on the other against oppression of the people, they will have achieved, indeed, a great work. They will then be entitled to the congratulations, not only of this country, but of the whole civilized world. But if they fail, what then? What then? Can there be a more important inquiry? If France fail, under what form of government will she find herself? I suppose it will be out of the question to go back to a constitutional monarchy. The Bourbon family in all its branches, is, I take it, now odious to the French people. They will hardly think of reinstating the old imperial dynasty of Napoleon. An aristocracy they cannot think of; and what then must be the result if they fail to establish a republic? If it come to contests within, or wars without,—if it shall be necessary to resort to force, to repress internal discord, or overcome foreign assailants—quite a pos-

sible case—France may find herself in the embrace of a military despotism. Such a result would furnish no ground for congratulation either on our part, or that of the civilized world.

This is, indeed, a mighty movement. It is pregnant with mighty consequences. Whether the result shall prove to be a blessing or a curse to France and the world, depends upon what is coming, rather than upon what has been already done. A revolution in itself is not a blessing. The revolution accomplished by the French people is, indeed, a wonderful event—the most striking, in my opinion, in history; but it may lead to events which will make it a mighty evil. It is therefore premature to offer our congratulations merely upon a revolution. We must look to the consequences and the end. We must await the termination of the movement. I wish well to France—sincerely do I wish her well! There is no man that breathes who has a deeper or more profound love of constitutional government than I have—not one. But I have never known a period when there was so great a necessity for wise, deliberate, cautious procedure. Great events are before us. There lives not the man who can say what another year may bring forth.

I offer no opinion as to the success or failure of the French people in this effort. I see tremendous difficulties in the way of success—difficulties resulting from the social condition of France, and the composition of her people. I see, on the other hand, a good deal of encouragement. The success of the French people will, in my opinion, depend, at least in a very high degree, upon the fact whether she can prevent war—that again depending upon two circumstances; one, whether she may have the self-control to abstain from improper interference with surrounding countries; the other, whether they may have the moderation and good sense to abstain from assailing France. Thus far the leading power of Europe has certainly discovered great good sense and foresight. Great Britain has done as she ought to have done; and I trust

that every other power in Europe will stand and look on; giving France a fair opportunity to consummate the great work in which she has engaged. It is due to France, to the civilized world, and to themselves, that European powers should observe strict non-interference. If she succeed, it will be an admonition to all Europe, that the time has arrived when they must agree to yield to liberty in a constitutional and a stable form. Thrones will fade away, and freedom and republican institutions become the order of the day. If, on the contrary, standing aloof and avoiding all contest, France shall fail in this great undertaking, after a fair trial, without the interference of other powers, it will do more to put down liberty under a republican form of government, than any other event which could occur.

Now I think that it is due all round that there shall be a fair trial. The first step to that, in my opinion, consists in quiet looking on and as little interference as possible. To France the people every where will extend their sympathy; but I do contend that the governments themselves ought to be prudent and abstemious in the expression of their sentiments. If we, as a government, extend our congratulations in this formal and solemn manner, others may take the opposite and denunciatory course, and between the two, that result will be produced which must inevitably overthrow the revolution—an appeal to arms. That is one reason why this Government, looking to the interests of France alone, and with the kindest feeling, ought to be cautious and abstemious in making a move. My opinion, then, is, that the wisest course will be to lay this resolution on the table, expressly on the ground that it is premature. The circumstances by which we ought to be regulated in expressing or withholding our congratulations have not yet presented themselves. When these circumstances do occur, the time for taking up the subject will have arrived. We know that a national con-

vention, called by the Provisional Government, is to assemble about the middle of next month.

[MR. BENTON (in his seat). It will meet on the 20th of next month.]

MR. CALHOUN. Let us await that important event. Let us await the action of the convention. That will be wise and prudent. Let us not act with precipitation. I move, then, to lay the resolution on the table.

SPEECH

On the Proposed Occupation of Yucatan, delivered in the Senate, May 15th, 1848.

[THE Senate having under consideration the Bill to enable the President of the United States to take temporary military occupation of Yucatan—]

MR. CALHOUN said: The President in his message recommends to Congress to adopt such measures as they may deem expedient to prevent, in the first place, Yucatan from becoming a colony of any European power; and, in the next place, to prevent the white inhabitants of that territory from being exterminated or expelled. In support of the latter, he informed the Senate that there is now raging a cruel and devastating war on the part of the Indians against the whites; and that, unless some foreign power should aid, they will be destroyed or driven from the country. In support of the other recommendation, he states that the Government of Yucatan has offered to the Governments of Great Britain, Spain, and the United States, the dominion over the country in order to obtain aid. The President also informs the Se-

nate that, unless we grant aid, some other power will; and that, ultimately, it may assert its dominion and sovereignty over the territory—a result which, he informs us, would be in contravention of the declaration of Mr. Monroe, and which must on no account be permitted. The Committee on Foreign Relations, in order to carry out these recommendations, have reported a bill which is now before us, the first section of which provides for taking military occupation of Yucatan, as recommended by the President.

Such are the recommendations of the President, and such the measure recommended by the committee. The subject is one of great magnitude. It is pregnant with consequences, both near and remote, which may deeply affect the peace and interests of this country. It demands the most serious deliberation. I have bestowed upon it full attention, and have arrived at a conclusion adverse to the recommendations of the President and the report of the committee. I propose to show, in the first place, that the case of Yucatan, even as stated by the President himself, does not come within the declarations of Mr. Monroe;—and that they do not furnish the slightest support to the measure reported by the committee.

In the message referred to, that of 1823, Mr. Monroe makes three distinct declarations. The first, and by far the most important, announces that the United States would regard any attempt on the part of the allied powers to extend their system to this country as dangerous to our peace and safety. To show that the case of Yucatan does not come within this declaration, all that will be necessary is to explain who were the allied powers—the object of their alliance—and the circumstances in which the declaration itself was made. The allied powers were the four great continental monarchies—Russia, Prussia, Austria, and France. Shortly after the overthrow of Bonaparte these powers entered into an alliance called the "Holy Alliance," the object

of which was to sustain and extend monarchical principles as far as possible, and to oppress and put down popular institutions. England, in the early stages of the alliance, favored it. The members of the alliance held several Congresses, attended either by themselves or their ambassadors, and undertook to regulate the affairs of all Europe, and actually interfered in the affairs of Spain for the purpose of putting down popular doctrines. In its progress the alliance turned its eyes to this continent in order to aid Spain in regaining her sovereignty over her revolted provinces. At this stage England became alarmed. Mr. Canning was then prime minister. He informed Mr. Rush of the project, and gave to him, at the same time, the assurance that, if sustained by the United States, Great Britain would resist. Mr. Rush immediately communicated this to our Government. It was received here with joy; for so great was the power of the alliance that even we did not feel ourselves safe from its interpositions. Indeed, it was anticipated, almost as a certain result, that, if the interference took place with the Governments of South America, the alliance would ultimately extend its interference to ourselves. I remember the reception of the dispatch from Mr. Rush as distinctly as if all the circumstances had occurred yesterday. I well recollect the great satisfaction with which it was received by the cabinet. It came late in the year—not long before the meeting of Congress. As was usual with Mr. Monroe upon great occasions, the papers were sent round to each member of the cabinet, so that each might be duly apprised of all the circumstances, and be prepared to give his opinion. The cabinet met. It deliberated. There was long and careful consultation; and the result was the declaration which I have just announced. All this has passed away. That very movement on the part of England, sustained by this declaration, gave a blow to the celebrated alliance from which it never recovered. From that time forward it gradually decayed, till it utterly

perished. The late revolutions in Europe have put an end to all its work, and nothing remains of all that it ever did. Now, by what ingenuity of argument, by what force of sophistry can it be shown that this declaration comprehends the case of Yucatan, when the events which called it forth have passed away for ever?

And yet the President has quoted that very declaration in support of his recommendation; but in a manner changing entirely its meaning, by separating it from the context as it stood in the message, and which referred it to the allied powers; and placing it in connection with a portion of his message which made it refer to Great Britain, Spain, or other European powers. The change has made the declaration so inconsistent and absurd that, had it been made by Mr. Monroe, as it stands in the President's message, it would have been the subject of the severest animadversion and ridicule, instead of receiving, as it did, the approbation and applause of the whole country. It would have placed England in the false position of acting against us and with the Holy Alliance in reference to the Spanish American republics; and it would also have placed us in the position of opposing Spain in her efforts to recover her dominion over those states; and, finally, it would have involved the absurdity of asserting that the attempt of any European state to extend its system of government to this continent, the smallest as well as the greatest, would endanger the peace and safety of our country.

The next declaration was,—that we would regard the interposition of any European power to oppress the governments of this continent, which we had recently recognized as independent, or to control their destiny in any manner whatever, as manifesting an unfriendly disposition towards the United States. This declaration, also, belongs to the history of that day. It grew out of the same state of circumstances, and may be considered as an appendage to the declaration to which I have just alluded. By the governments on this

continent, which we had recognized, were meant the republics which had grown up after having thrown off the yoke of Spain. They had just emerged from their protracted revolutionary struggles. They had hardly yet reached a point of solidity, and in that tender stage, the administration of Mr. Monroe thought it proper not only to make that general declaration in reference to the Holy Alliance, but to make a more specific one against the interference of any European power—in order to countenance and encourage these young republics as far as we could with propriety. This, like the other, belonging to the events of the time, has passed away with them. But suppose this not to be the case, I ask does the case of Yucatan come within this declaration? Has there been any interposition in the affairs of Yucatan on the part of any European power with the design of oppressing her or changing her destiny? If not, how can the case of Yucatan be comprehended in this declaration?

But, it may be said, although the case of Yucatan is not expressly comprehended in the declaration, yet it is so by implication, as it is meditated by England; for, after all, that is the government which is meant in the message, under the general term "European powers." The message indicates that England meditates such interference, and the Chairman of the Committee on Foreign Relations distinctly avows that opinion. Has England, then, manifested any disposition to interfere in order to oppress the people of Yucatan, or to change the character of their government from a republic to a monarchy? We have no evidence whatever on that point. It is true that the commissioner from Yucatan, Mr. Sierra, would insinuate as much. He speaks of the Indians who are in hostility to the white people of Yucatan as having obtained arms from the British. He speaks with some degree of uncertainty, however, and is unable to say whether the arms were given or not, and cannot state how they were obtained by the Indians. He speaks also of

the hostile temper of England, and gives several indications of that kind. But, in answer to all this, his own letter furnishes a conclusive reply. He tells us that the people of Yucatan could themselves have obtained an abundant and cheap supply of arms from the Balize—without stating why they were prevented, or why they did not obtain them. In my opinion the cause is different from that stated by the Senator from Massachusetts. It was owing to the fact that Yucatan was not considered as a neutral power, but as a part of Mexico, as far as the introduction of arms was concerned, and arms were in consequence made contraband; and, therefore, they were prevented from being introduced by our act, and not by that of the British Government, or its agent, or people at the Balize. One of the members of the committee goes a little further, and says that the settlement at Balize has sent arms and a military force along the coast of Yucatan, without stating any particulars. I do not find any evidence of this. I do not know whether it is a fact or not; but, if it be a fact, it still remains to be shown whether it was intended to relieve the people of Yucatan, or for the purpose of seizing and occupying the territory. The Chairman of that committee took higher ground,—and, without assigning his proof, said boldly and distinctly that England meditated occupation of the country, and that we ought to pass this measure in order to prevent it. But the President himself does not put it upon this ground. He does not make this charge. He says, if we do not grant aid England may; and that, after granting it, she *may*—there is no stronger expression used—*may* ultimately assert her dominion and sovereignty over Yucatan. This is the utmost charge made by the President. Now, the question arises, suppose this contingency should happen, would it bring the case within the declaration just quoted? Not at all. England does not interpose as a hostile power. She does not come to oppress Yucatan. She comes at the request of Yucatan, and

only to aid to rescue the people of Yucatan from extermination and expulsion by the Indians, according to the statement of the President himself. Again, suppose England should assert her sovereignty, would that bring the case within the declaration? Not at all; for the declaration is directed against interpositions to change the government and oppress the country. But, in this case, the tender of sovereignty is voluntarily made on the part of Yucatan. The acceptance of it may be objected to, and it may be contended that we ought not to allow it. I waive that subject for the present. I assert, however, without possibility of contradiction, that the case, even then, does not come within the declaration. The President himself gives strong indications that, in his opinion, it does not; for, although he refers to this declaration in the body of the message, he does not say a word in regard to it whem he comes to make his recommendation. In this he calls upon Congress to prevent Yucatan from becoming a colony to some foreign power. That shows on which of the three declarations he rests his recommendation. It is upon the third and last, which refers to an entirely different subject. That declaration is, that the continents of America, by the free and independent condition which they have assumed and maintained, are not henceforth to be considered as subjects of colonization by any European power. It is upon this the President bases his recommendation. Is the case of Yucatan, then, comprehended in this declaration? I expect to show that it is not, with just as much certainty as it has been established that it does not come within the two former.

The word "colonization" has a specific meaning. It means the establishment of a settlement by emigrants from the parent country in a territory either uninhabited or from which the inhabitants have been partially or wholly expelled. This is not a case of that character. But here it may be proper, in order to understand the force of my argument, to

go into a history also of this declaration of Mr. Monroe. It grew out of circumstances altogether different from the other two. At that time there was a question between Great Britain and the United States on one side, and Russia on the other. All three claimed settlements on the northwest portion of this continent. Great Britain and ourselves having common interest in keeping Russia as far north as possible, the former power applied to the United States for co-operation; and it was in reference to that matter that this additional declaration was made. It was said to be a proper opportunity to make it. It had reference specially to the subject of the northwestern settlement, and the other portions of the continent were thrown in, because all the rest of it, with the exception of some settlements in Surinam, Maracaibo, and thereabout, had passed into independent hands.

Now, having stated the history of these transactions, I contend that the word "colonization" does not apply to the case of Yucatan. That is the case of surrendered sovereignty over a people already there—a people who have tendered it, and, if accepted, freely accepted on the other side. Is that "colonization?" Can it be construed to be so by any forced interpretation? No; by accepting it Yucatan may become a province, or, to use the appropriate term that she employs, a "possession" of Great Britain, but not a colony.

When the Chairman of the Committee on Foreign Relations addressed the Senate a few days since, he related a conversation which he had with Mr. Adams, in reference to this declaration; and, according to his statement, if I heard him aright, and he be correctly reported, Mr. Adams, in applying his observations to the whole of these declarations, stated that they all originated with himself, and were unknown to the other members of the cabinet until they appeared in Mr. Monroe's message. There certainly must be a mistake either on the part of Mr. Adams, or that of the Chairman of the Committee on Foreign Relations, as to the

two first of these declarations. The history of the transaction, the Senator will perceive, if he examines the documents, shows distinctly that they came through Mr. Rush,—originating, not with Mr. Adams, but Mr. Canning,—and were first presented in the form of a proposition from England. I recollect, as distinctly as I do any event of my life, that all the papers in connection with this subject were submitted to the members before the cabinet met, and were duly considered. Mr. Adams, then, in speaking of the whole as one, must have reference to the declaration relative to colonization. As respects this his memory does not differ much from mine. My impression is, that it never became a subject of deliberation in the cabinet. I so stated when the Oregon question was before the Senate. I stated it in order that Mr. Adams might have an opportunity of denying it, or asserting the real state of the facts. He remained silent, and I presume that my statement is correct—that this declaration was inserted after the cabinet deliberation. It originated entirely with Mr. Adams, without being submitted to the cabinet, and it is, in my opinion, owing to this fact that it is not made with the precision and clearness with which the two former are. It declares, without qualification, that these continents have asserted and maintained their freedom and independence, and are no longer subject to colonization by any European power. This is not strictly accurate. Taken as a whole, these continents had not asserted and maintained their freedom and independence. At that period Great Britain had a larger portion of the continent in her possession than the United States. Russia had a considerable portion of it, and other powers possessed some portions on the southern parts of this continent. The declaration was broader than the fact, and exhibits precipitancy and want of due reflection. Besides, there was an impropriety in it when viewed in conjunction with the foregoing declarations. I speak not in the language of censure.

We were, as to them, acting in concert with England, on a proposition coming from herself—a proposition of the utmost magnitude, and which we felt at the time to be essentially connected with our peace and safety; and of course it was due to propriety as well as policy that this declaration should be strictly in accordance with British feeling. Our power then was not what it is now, and we had to rely upon her co-operation to sustain the ground we had taken. We had then only about six or seven millions of people, scattered, and without such means of communication as we now possess to bring us together in a short period of time. The declaration accordingly, with respect to colonization, striking at England as well as Russia, gave offence to her, and that to such an extent that she refused to co-operate with us in settling the Russian question. Now, I will venture to say that if that declaration had come before that cautious cabinet—for Mr. Monroe was among the wisest and most cautious men I have ever known—it would have been modified, and expressed with a far greater degree of precision, and with much more delicacy in reference to the feelings of the British Government.

In stating the precise character of these declarations, and the manner in which they originated, I have discharged a double duty; a duty to my country, to whom it is important that these declarations should be correctly understood—and a duty to the cabinet of which I was a member, and am now the only survivor. I remove a false interpretation, which makes safe and proper declarations improper and dangerous.

But it is not only in these respects that these famous declarations are misunderstood by the Chief Magistrate of the country, as well as by others. They were but declarations—nothing more; declarations, announcing in a friendly manner to the powers of the world, that we should regard certain acts of interposition of the allied powers as

dangerous to our peace and safety; interposition of European powers to oppress the republics which had just arisen upon this continent, as manifesting an unfriendly disposition,—and that this continent having become free and independent, was no longer the subject of colonization by European powers. Not one word in any one of them in reference to resistance. There is nothing said of it; and with great propriety was it omitted. Resistance belonged to us—to Congress; it is for us to say whether we shall resist or not, and to what extent. But such is not the view taken by the present Chief Magistrate. He seems to hold these declarations as imposing a solemn duty on him as Chief Magistrate to resist on all occasions; and not only to resist, but to judge of the measure of that resistance. He tells us in this very message that it is not to be permitted, in any event, that any foreign power should occupy Yucatan. That is language for us to hold, not for the Chief Magistrate. And in conformity with that, he sends in a message without giving us one particle of evidence as to those great political considerations which influenced the cabinet decisions as stated on this floor, in declaring whether we shall occupy the country or not. I speak it not in the way of censure. I state it only as a matter of fact deducible from the message itself, and as evincing undoubtedly a great and dangerous misconception of these celebrated declarations. But this is not all. He tells you in the same message that these declarations have become the settled policy of this country. What, the declarations? Declarations are not policy, and cannot become settled policy. He must mean that it has become the settled policy of this country to resist what these declarations refer to; and to resist, if need be, by an appeal to arms. Is this the fact? Has there been one instance in which these declarations have been carried into effect by resistance? If there be, let it be pointed out. Have there not been innumerable instances in which

they have not been applied? Certainly. Still stronger; these declarations, under this broad interpretation, were disavowed entirely three years afterwards by the vote of the Republican party, when the administration of Mr. Adams endeavored to carry them out practically, by sending ministers to the Congress at Panama, as will be seen by reading the debates and the proceedings on the subject. And let me say—for it is proper that I should make the declaration on this occasion—that there has been an entire revolution between the two parties in this country in reference to our foreign relations. At the commencement of our Government, and down to a late period—I will mark it—the commencement of Jackson's administration, the policy of the Republican party was to avoid war as long as war could be avoided, and to resort to every means to avert its calamities. The opposite party, without being a war party, had not so decided an aversion to war. The thing is now reversed; and hence I, who have endeavored to maintain the old ground of the party, have for years, on all questions connected with our foreign relations, been compelled to co-operate with gentlemen on the opposite side, and to resist those in the midst of whom I stand. No; it is not and never has been the established policy of the country. And if it should ever become so, to the wide extent to which these declarations have been interpreted to go, our peace would ever be disturbed; the gates of our Janus would ever stand open; wars would never cease.

What the President has asserted in this case is not a principle belonging to these declarations; it is a principle which, in his misconception, he attempts to engraft upon them, but which has an entirely different meaning and tendency. The principle which lies at the bottom of his recommendation is—that when any power on this continent becomes involved in internal warfare, and the weaker side chooses to make application to us for support, we are bound to give

them support for fear the offer of the sovereignty of the country may be made to some other power and accepted. It goes infinitely and dangerously beyond Mr. Monroe's declaration. It puts it in the power of other countries on this continent to make us a party to all their wars; and hence I say, if this broad interpretation be given to these declarations, we shall for ever be involved in wars.

But, in disavowing a principle which will compel us to resist every case of interposition of European powers on this continent, I would not wish to be understood as defending the opposite, that we should never resist their interposition. This is a position which would be nearly as dangerous and absurd as the other. But no general rule can be laid down to guide us on such a question. Every case must speak for itself—every case must be decided on its own merits. Whether you will resist or not, and the measure of your resistance—whether it shall be by negotiation, remonstrance, or some intermediate measure, or by a resort to arms; all this must be determined and decided on the merits of the question itself. This is the only wise course. We are not to have quoted on us, on every occasion, general declarations to which any and every meaning may be attached. There are cases of interposition where I would resort to the hazard of war with all its calamities. Am I asked for one? I will answer. I designate the case of Cuba. So long as Cuba remains in the hands of Spain—a friendly power—a power of which we have no dread—it should continue to be, as it has been the policy of all administrations ever since I have been connected with the Government, to let Cuba remain there; but with the fixed determination, which I hope never will be relinquished, that, if Cuba pass from her, it shall not be into any other hands but ours: this, not from a feeling of ambition, not from a desire for the extension of dominion, but because that island is indispensable to the safety of the United States; or rather, because it is indispensable to the

safety of the United States that this island should not be in certain hands. If it were, our coasting trade between the gulf and the Atlantic would, in case of war, be cut in twain, to be followed by convulsive effects. In the same category, I will refer to a case in which we might most rightfully have resisted, had it been necessary, a foreign power; and that is the case of Texas. It has been greatly misunderstood. It sprung up in the midst of party excitement, when a large portion of both parties were opposed to annexation, and when it was difficult, if not impossible, to get a fair hearing. I never supposed, as has been stated on this floor, that Great Britain intended to subject Texas to her power. That was not my dread. What was dreaded was this: Texas being a small power, and Great Britain having a free and large commercial intercourse with her, and we almost none, although "bone of our bone and flesh of our flesh," she would gradually have been weaned of her affection for us. Kindness for England and aversion for us would have been the result. Such is the inevitable tendency between nations having conterminous limits. At that very time there were several questions between this country and Texas which, had it not been for the most amicable feelings which subsisted between us, would have ended in hostilities. A long line of more than a thousand miles illy defining the boundary between us and Texas, exposed us to the hazard of becoming involved constantly in war with her, supported by Great Britain and Mexico as her allies. I saw all this; I saw clearly that it was a case to resist interposition—and that there was no other mode by which effectual resistance could be made than by annexation; and therefore I was in favor of annexation, even at the hazard of war.

But I was asked by one of the members of the Committee on Foreign Relations, if I would be in favor of resisting Great Britain if she should assert sovereignty and dominion over Yucatan? I answer, I would not. And for irresisti-

ble reasons. I would not, because the country is, to a great extent, a most worthless one. Nearly one-half is destitute of a single stream—rocky and barren throughout the greater part; and it is only by means of the artificial reservoirs of water, that they are enabled to live through the dry season. I would not, because the possession of Yucatan would contribute nothing to the defence of the passage between it and Cuba, which is represented to be so important to our commerce. It is not without its importance—it is important to the inward trade, but not at all to the outward trade of the gulf. There is a constant current of wind and water setting in that direction, of which vessels going to New Orleans, or any other port on the gulf, may avail themselves. But on coming from those ports, they almost invariably take their way between Florida and Cuba, and thus the passage between Yucatan and Cuba is the inlet to a limited extent into the gulf, but not the outlet from it; while the passage between Cuba and Florida is the almost exclusive outlet and the principal inlet. I speak in reference to coasting vessels. In voyages from Europe they pass south of Cuba into the gulf.

But I take higher grounds. If it were ever so important, not only as an inlet, but an outlet, the occupation of Yucatan by England would add nothing to her power in cutting off our trade. Yucatan is very destitute of ports; there is not a frigate port laid down in the charts on the whole peninsula, unless that at the Balize be so. But with or without Yucatan, Great Britain possesses an uncontrollable power over the passage whenever she chooses to exert it. If ever we should be engaged in war with her, there is not a single vessel of ours, even if we were in possession of Yucatan, that could enter into the gulf by that passage, or depart out of it. The passage from the gulf between Yucatan and Cuba does not, as seems to be supposed, lead directly into the Atlantic, but into the Caribbean Sea,—the

portion of the Atlantic ocean, having on its north and west side Yucatan and Cuba; on the east the Windward Islands; and on the south all that portion of South America extending nearly from Oronoco to Yucatan. Great Britain has the complete command of that sea, the island of Jamaica being in the midst of it. Jamaica abounds with the finest ports, and the most commodious naval stations. In addition to this, she has the Balize, which is nearer the point of Yucatan than Laguna or Carmen on the opposite side of the peninsula next the gulf, and which is the only port on that side into which even a sloop of war can enter, and of course the Balize is better calculated to command the passage. In addition, she possesses many of the Windward Islands to the east, and hence the complete command of the Caribbean Sea,—and she will continue to possess it so long as she retains her ascendency on the ocean. It would be thus locked up effectually against us in time of war. In time of peace we do not need it. But I would not take military possession of Yucatan, if I were certain Great Britain would, for another reason. Not only because it is worthless, but because it would impose on us a very heavy cost of both men and money—first to take possession, and then to keep it. The extent to which our expenditures would go no man can estimate; we have no data on which we can act. The population is between five and six hundred thousand, of which only fifty thousand are said to be whites and mixed blood. The Indians, originally a very peaceful and quiet people, unaccustomed to arms, from being frequently called into the contest between the factions and the war with Mexico, have become accustomed to them, and possessed of some military knowledge. They are represented as very active, capable of marching rapidly, and in the habit of flying to the mountains to escape from their pursuers. In that climate, among the most arid upon earth, if these people fly before us, how or when will this war come to an end? It may prove

another Seminole affair. Who can answer what will be the sacrifice of men and money?

But an Indian war would not be the greatest danger to which we would be exposed. To attempt to take military possession, with a view to prevent England from asserting sovereignty and dominion over the country—if that indeed be her intention—might bring us into conflict with her, and, it may be, with Spain, too. They, as well as we, are implored to accept the sovereignty, on condition of defending the existing Government against the Indians. Suppose they, as well as we, should accept the offer, and that we should find them with an armed force prepared to take possession. Must it not lead to a direct conflict of arms, unless one or the other give way? Would we be prepared, in such a case, to back out? And if not, what reason have we to suppose that others will not be as resolute to carry out their object as we are? Would not a conflict be inevitable? That such would be the result is anticipated by Mr. Sierra himself, who, speaking in reference to it, says that the condition of the country would be, in that case, "infinitely more unfortunate than it is now, because, in addition to all the evils of the present war, it would be exposed to become the theatre of another war." Are we prepared to occupy the country by military force, as recommended by the committee, at the risk of so great a hazard? I am not. I am in favor of peace, whenever it can be maintained consistently with the honor and the safety of the country. I can see no such necessity in this case, even on the supposition stated, as to induce me to incur such hazard, especially at a period like the present. Never was the future more uncertain. Events occur with electric rapidity. No man can tell what may come to-morrow; and never was there a time when caution was more necessary—when there was stronger inducement to husband our resources—to avoid quarrels and wars, or anything that can involve us in difficulty, in order

to stand prepared to meet emergencies as they rise. He who looks abroad—he who looks at the eastern horizon, and does not see the necessity for caution, is blind to the future.

I would not take military possession, even under the contingency I have stated, for another reason. It would be a breach of good faith. Not long since we agreed upon the terms of a treaty with Mexico. That treaty, before this time, has been acted on, or is about to be acted on, by the Mexican Government; and until it is acted on we are bound in good faith to observe it. If it is acted on favorably, it becomes a permanent obligation. We have considered Yucatan as part of Mexico, as one of the States of the Mexican Republic. It is not comprehended within the line which is proposed to be drawn between us and her. We could not seize upon that State in conformity with good faith; nor could we in conformity with the armistice, for the same reason. The armistice makes some exceptions, but this is not one of them.

I have now stated my reasons against the measure reported by the committee to carry into effect the message of the President, recommending that we should adopt the measure to prevent Yucatan from becoming a colony of a foreign power. I now proceed to consider the next—to adopt measures to prevent the white population from being exterminated or expelled from Yucatan. And here let me express my regret that the President should, in the same message, unite two measures of such different characters—one an appeal to our humanity, which I would, as far as we could with propriety, act upon promptly, and at once; the other, involving the highest considerations of policy, and which requires much time and much deliberation. It is among the most complicated questions ever presented to this body, and by no means the least important. Why these different questions have been mingled I am not prepared to say. The emergency for the one seems to have existed long

before the other. Danger to the white population has been known to exist since the middle of February, but the message has only been recently communicated to us. During this long interval, if the case appealing to our humanity had been brought forward, we might long ere this have rendered efficient aid. But, whatever may be the effects of the delay in reference to the Yucatanese, they are not chargeable to us. Higher considerations in reference to ourselves—considerations of policy—demand of us deliberation, and that deliberation, I trust, will be given, in despite of the charge of unnecessary delay. But I pass on to the question of humanity.

If this be a war of races in reality; if the white race be not responsible for this war; if they have used all manly exertions, and exhibited due courage in repelling the danger, strong indeed would be the appeal to my sympathies. I have no aversion to any race, red or black, but my sympathies are for the white race. I am not so much sophisticated by misguided philosophy or false philanthropy as to lose the natural feelings which belong to me. I go further. If this is a case of war between races; if the Indians have, without just cause, risen and threatened the massacre and extermination of the white race, who have acted so generously towards them as to raise them from the condition of slaves or serfs to that of citizens and freemen, this would present a strong case on the score of policy for interposition, connected with considerations belonging to progress, civilization, and liberty. It was the Spanish or white race—and in that we include the mixed races—who overthrew the Spanish power, and have throughout evinced the greatest attachment, under all circumstances, to republican government. They have all the wealth, and comprise nearly all the intelligence of the country; and on their ascendency, in my opinion, depends the future progress of civilization and liberty of Yucatan. It is true, they are not very elevated in their sentiments,

nor very well informed on political subjects, but they are far better informed, and far more elevated in sentiment, than the Indian race can possibly be. If they can maintain themselves, there is some hope that Yucatan may go forward, that intelligence may increase, and that at some future day they may be prepared to take a higher position in civilization than at present. If the white race be overthrown and Indian ascendency established, there will be a directly opposite tendency to end in a despotic government, like that of Hayti. Perhaps a capable man may at first be elevated to power, and may govern tolerably well, but it will undoubtedly follow the course of Hayti. The tendency of power will be downwards, until it come down to the very bottom, and end in a savage state.

But if there are powerful considerations why we should interfere as far as we could with propriety for these reasons, there are very powerful ones why we should act with great caution. The case of Yucatan does not stand alone. All the causes operating there to produce the present state of things are operating in all the portions of this continent south of us, including Mexico, down on the eastern side of the Andes to Buenos Ayres, and on the western to Chili. All, all are in great danger of falling into the condition in which Yucatan is now placed. The history of all has been the same. The white and mixed races led in casting off the yoke of Spain. They, every where, elevated the Indian race to an equality with themselves. It was done most imprudently, and inculcates a solemn lesson. They conferred upon the Indians full political rights, subjecting them at the same time to unequal civil burdens. While they gave them the power of voting—the highest political power—they imposed a tax upon them exclusively of a most onerous character, so as to throw almost the whole burden of supporting the Government and the Church upon them. If the order had been reversed; if they had given them all civil rights, and

dealt out to them more sparingly political rights, elevating the more intelligent, and extending the basis of suffrage as the intelligence of the Indian population increased, a very different result might have taken place. All these South American States consist of the same population—whites, mixed, and Indians. The African population is small. All will, I fear, be revolutionized in turn, and the whole of them be subjected to one melancholy fate, in spite of all that we can do. But I trust that it may be otherwise. The magnitude of this subject, however, should teach us caution. Whatever we do in this case, we set a precedent; we affirm a principle; and every one knows the force of precedents and asserted principles upon a population like that of our country. You will have to follow it in all other cases. Even now Venezuela is involved in a war every way similar. How it may end we know not. Guatimala has gone through the process. She is already under Indian authority. A man of remarkable character, it is said, is at the head of the Government. Things may go very well in his time, but how they will be managed afterwards who can tell? Look at the subject. Are we to declare now, by our acts, that in all those cases we are to interpose by force of arms, if need be, and thereby become involved in the fate of all these countries? Ought we to set such a precedent? No. The first duty of every nation is to itself,—and such is the case pre-eminently with the United States. They owe a high duty to themselves—to pursue a line of policy which will secure their liberty. The success of their great political system will be of infinitely more service to mankind than the securing of the ascendency of the white race in the southern portion of this continent, however important that may be. But if, instead of pursuing this wise policy, such a course be entered upon as that recommended in the message of the President, I fear that, sooner or later, the ruins of our Government will be added to those which have fallen within the

last few months. But, while I see the greatest reason for caution, I think that this Government, upon all occasions, ought to give encouragement and countenance, as far as it can with safety, to the ascendency of the white race—that it ought to be the guardian of the civilization, progress, and liberty of this continent, in reference to those portions of it where they are exposed to this danger. I will not say that in no case should we ever give them military aid, but for a case to justify this, it must be an extraordinary one, and to be judged of by its intrinsic merits, and not governed by a general rule.

I have said that if this be a case of war between races, if the white race be not responsible for it, if they have been patriotic and courageous in their own defence, it would present a strong appeal to my sympathy. But is it a war of races? I have examined the case with all the lights before me, and I shall now state the conclusion to which I have arrived.

It is now, I believe, substantially a war of races, but was not so at the beginning. It seems that, from the beginning of the Government of Yucatan, there have been violent factions, accompanied by a disposition on all sides to call in the aid of the Indians; and, in order to obtain their aid as voters, certain promises were made to them which have not been well fulfilled. It would seem that, in this case, one of the factions, to secure the Indian vote, promised the reduction of the capitation tax—an enormous burden which presses them to the earth. The conflict originated, it is said, in this wise. In the contest for power between Mendez and Barbachino, the partisans of the former, about Campeachy, made proposals to the Indians to reduce the capitation tax. Mendez, in consequence of these overtures, obtained the aid of the Indians, and was elected governor. But when he got into power he did not fulfil his promises. Instead of removing the taxes, he enforced their collection

rigidly, which produced some disturbance. It seems further —for this is an inference rather than a statement—that the question of the war between the United States and Mexico entered into the quarrel, and that Barbachino leaned to the side of Mexico, while Mendez took the side of neutrality, which preponderated. It would also seem that the Indian resistance was at first feeble. In the midst of the conflicts of the contending factions it grew, and became at length so important and threatening as to occasion alarm and consternation. There has been almost no display whatever of courage on the part of the white population, and very little evidence of patriotism throughout the whole affair. All this tends very much to weaken my sympathies. Were the case confined to the male population I should have little or none. But there are helpless women and children, whose wretched condition, on the score of humanity, demands interference. I may add, that there is some information inducing the belief that it is not altogether even now a war of races. Barbachino is now in power; and such has been the violence of faction that a large portion of the forces of Mendez has withdrawn from the army on the change in the government. I will state, in this connection, what perhaps should have been said before, that the intelligence brought by a late arrival at New Orleans establishes beyond all controversy that England has not been implicated in the affair. It appears that even the British settlement at the Balize is threatened by Indians; that the city last captured is not more than one hundred miles distant from that settlement, and that a despatch had been sent for additional troops from Jamaica. This apprehension of an attack had resulted from the British settlement having sent down a few vessels to the coast of Yucatan to pick up the miserable fugitives. If there had been any suspicion as to the conduct of that settlement, or British subjects in that quarter, these facts ought to put an end to them for ever.

How far ought we to go, then, on the score of humanity? I am of the opinion that all the naval force which we can spare should be sent to relieve these helpless people, and that we should supply food and raiment for their present necessities, and convey them wheresoever they desire—to Cuba or elsewhere. In a word, we should do all that humanity requires. But I cannot agree to carry out the provisions of a bill which authorizes the President to use the army and navy to take military occupation of the country. No considerations of humanity, or of the ascendency of the white race in Yucatan, justify, in my opinion, the adoption of such a course of policy. It is now clear that the white population, including the mixed race, is so prostrated and feeble, and the Indians so powerful, that not a hope remains of re-establishing the permanent ascendency of the former. We can, doubtless, by force, subject the Indians and reinstate the whites in power; but the moment we withdraw, the former state of things will recur. We will thus be perpetually engaged in this work. Now, I am not willing to incur the danger and the cost of maintaining the ascendency of the whites. I am not willing to have this task, which does not belong to us, assumed by our Government.

I come now to the amendment of the Senator from Mississippi (Mr. Davis). As between the bill and the amendment, I prefer the bill. They both propose the same thing. It is true the amendment says only that the President shall have the power, without prescribing what he the President is to do with it. But the President has told us what he will do. He has told us as clearly as if it was put in the amendment. His object is to take military occupation of Yucatan—temporary to be sure, but it must end in permanent occupation. Now, I would rather do that with our own sanction directly which the President proposes to do, than under the cover of this amendment. Nor am I reconciled to the amendment by the preamble offered by the Senator from Alabama.

I think the Senator had not seen all the documents when he offered that preamble. It does not reach the case. It presupposes an obligation on the part of the Government of the United States to defend the white race there because we had so crippled Mexico that she could not afford them protection. I believe I state the substance of the preamble correctly?

[Mr. Lewis assented.]

Mr. Calhoun. The case is very different from what the preamble supposes. Yucatan does not look to Mexico for protection. On the contrary, they are more alarmed at the danger they have to fear from Mexico than from the Indians. Unfortunately for themselves, they assumed a position of neutrality, or, as they say, of independence. They thereby became traitors in the eyes of Mexico; and, no doubt, they will be held responsible as such. Hence we see Mr. Sierra makes a strong remonstrance against the treaty with Mexico. Nay, he goes so far as to say that, as a matter of good faith, the United States should not permit Yucatan to be sacrificed. There has been, in my opinion, a good deal of mismanagement in reference to this whole affair. The people of Yucatan were recognized as neutrals or not, just as suited the pleasure of the President. So far as the collection of revenue was concerned, they were not neutral; as far as the importation of arms into the country was concerned, they were treated as belligerents, and the arms were made contraband of war, lest they should be transferred to Mexico. The effect has been this, and they complain of it: that they have been kept destitute of arms and means whereby to defend themselves in this contest. On reviewing the whole case, however, I think that the white population of Yucatan have, in a great measure, themselves to blame. The factious conflicts—fierce and maniacal—in which they have been engaged, to the last, have involved them in these

frightful calamities. But the administration is not wholly irresponsible. They knew that Mendaz had declared neutrality, if not independence, and approved of it. They beheld the progress of those Indians. They witnessed their devastations, and instead of interfering to defend those who had declared themselves to be our friends, stood by with arms folded, and they have incurred a very heavy responsibility. They ought to have given no countenance to their claim of neutrality and treated them as one of the Mexican States, or ought to have fully recognized their neutrality and independence. On the contrary, by regarding them as a Mexican State, or as a neutral and independent power, as best suited their convenience, they have placed the people of Yucatan in an awful condition, by leaving them unprotected from the fury of the Indians, and exposing them to be treated as traitors by Mexico; and we are now appealed to, at this late period, to remedy the evils resulting from this fluctuating and uncertain policy, when they are no longer curable but by incurring hazards and sacrifices we cannot be justified in making.*

SPEECH

On the Oregon Bill, delivered in the Senate, June 27th, 1848.

THERE is a very striking difference between the position on which the slaveholding and non-slaveholding States stand, in reference to the subject under consideration. The former

* The copy of this Speech in the editor's possession has endorsed on it, in the handwriting of Mr. Calhoun, the words "*It is badly reported.*" —EDITOR.

desire no action of the Government; demand no law to give them any advantage in the territory about to be established; are willing to leave it, and other territories belonging to the United States, open to all their citizens, so long as they continue to be territories,—and when they cease to be so, to leave it to their inhabitants to form such governments as may suit them, without restriction or condition,—except that imposed by the constitution, as a prerequisite for admission into the Union. In short, they are willing to leave the whole subject where the constitution and the great and fundamental principles of self-government place it. On the contrary, the non-slaveholding States, instead of being willing to leave it on this broad and equal foundation, demand the interposition of the Government, and the passage of an act to prevent the citizens of the slaveholding States from emigrating with their property into the territory, in order to give their citizens and those they may permit, the exclusive right of settling it, while it remains in that condition, preparatory to subjecting it to like restrictions and conditions when it becomes a State. The 12th section of this bill is intended to assert and maintain this demand of the non-slaveholding States, while it remains a territory,—not openly or directly,—but indirectly, by extending the provisions of the bill for the establishment of the Iowa Territory to this, and by ratifying the acts of the informal and self-constituted government of Oregon, which, among others, contains one prohibiting the introduction of slavery. It thus, in reality, adopts what is called the Wilmot proviso, not only for Oregon, but, as the bill now stands, for New Mexico and California. The amendment, on the contrary, moved by the Senator from Mississippi, near me (Mr. Davis), is intended to assert and maintain the position of the slaveholding States. It leaves the territory free and open to all the citizens of the United States, and would overrule, if adopted, the act of the self-constituted Territory of Oregon

and the 12th section, as far as it relates to the subject under consideration. We have thus fairly presented the grounds taken by the non-slaveholding and the slaveholding States,—or, as I shall call them for the sake of brevity,—the Northern and Southern States, in their whole extent for discussion.

The first question which offers itself for consideration is—Have the Northern States the power which they claim, to prevent the Southern people from emigrating freely, with their property, into territories belonging to the United States, and to monopolize them for their exclusive benefit?

It is, indeed, a great question. I propose to discuss it calmly and dispassionately. I shall claim nothing which does not fairly and clearly belong to the Southern States, either as members of this Federal Union, or appertain to them in their separate and individual character; nor shall I yield any thing which belongs to them in either capacity. I am influenced neither by sectional nor party considerations. If I know myself, I would repel as promptly and decidedly any aggression of the South on the North, as I would any on the part of the latter on the former. And let me add, I hold the obligation to repel aggression to be not much less solemn, than that of abstaining from making aggression; and the party which submits to it when it can be resisted, to be not much less guilty and responsible for consequences than that which makes it. Nor do I stand on party grounds. What I shall say in reference to this subject, I shall say entirely without reference to the Presidential election. I hold it to be infinitely higher than that and all other questions of the day. I shall direct my efforts to ascertain what is constitutional, right and just, under a thorough conviction that the best and only way of putting an end to this, the most dangerous of all questions to our Union and institutions, is to adhere rigidly to the constitution and the dictates of justice.

With these preliminary remarks, I recur to the question—

Has the North the power which it claims under the 12th section of this bill? I ask at the outset, where is the power to be found? Not, certainly, in the relation in which the Northern and Southern States stand to each other. They are the constituent parts or members of a common Federal Union; and, as such, are equals in all respects, both in dignity and rights, as is declared by all writers on governments founded on such union, and as may be inferred from arguments deduced from their nature and character. Instead, then, of affording any countenance or authority in favor of the power, the relation in which they stand to each other furnishes a strong presumption against it. Nor can it be found in the fact that the South holds property in slaves. That, too, fairly considered, instead of affording any authority for the power, furnishes a strong presumption against it. Slavery existed in the South when the constitution was framed, fully to the extent, in proportion to the population, that it does at this time. It is the only property recognized by it; the only one that entered into its formation as a political element, both in the adjustment of the relative weight of the States in the Government, and the apportionment of direct taxes; and the only one that is put under the express guaranty of the constitution. It is well known to all conversant with the history of the formation and adoption of the constitution, that the South was very jealous in reference to this property; that it constituted one of the difficulties both to its formation and adoption; and that it would not have assented to either, had the convention refused to allow to it its due weight in the Government, or to place it under the guaranty of the constitution. Nor can it be found in the way that the territories have been acquired. I will not go into particulars, in this respect, at this stage of the discussion. Suffice it to say, the whole was acquired either by purchase, out of the common funds of all the States,—the South as well as the North,—or by arms and

mutual sacrifice of men and money;—which, instead of giving any countenance in favor of the power claimed by the North, on every principle of right and justice, furnishes strong additional presumption against it.

But, if it cannot be found in either,—if it exists at all,—the power must be looked for in the constitutional compact, which binds these States together in a Federal Union; and I now ask, can it be found there? Does that instrument contain any provision which gives the North the power to exclude the South from a free admission into the territories of the United States with its peculiar property, and to monopolize them for its own exclusive use? If it in fact contains such power, expressed or implied, it must be found in a specific grant, or be inferred by irresistible deduction, from some clear and acknowledged power. Nothing short of the one or the other can overcome the strong presumption against it.

That there is no such specific grant may be inferred, beyond doubt, from the fact that no one has ever attempted to designate it. Instead of that, it has been assumed—taken for granted without a particle of proof—that Congress has the absolute right to govern the territories. Now, I concede, if it does in reality possess such power, it may exclude from the territories whom or what it pleases, and admit into them whom or what it pleases; and of course may exercise the power claimed by the North to exclude the South from them. But I again repeat, where is this absolute power to be found? All admit that there is no such specific grant of power. If, then, it exists at all, it must be inferred from some such power. I ask where is that to be found? The Senator from New-York, behind me (Mr. Dix), points to the clause in the constitution, which provides that "Congress shall have power to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States." Now, I under-

take to affirm and maintain, beyond the possibility of doubt, that, so far from conferring absolute power to govern the territories, it confers no governmental power whatever; no, not a particle. It refers exclusively to territory, regarded simply as public lands. Every word relates to it in that character, and is wholly inapplicable to it considered in any other character than property. Take the expression "dispose of" with which it begins. It is easily understood what it means when applied to lands; and is the proper and natural expression regarding the territory in that character, when the object is to confer the right to sell or make other disposition of it. But who ever heard the expression applied to government? And what possible meaning can it have when so applied? Take the next expression, "to make all needful rules and regulations." These, regarded separately, might, indeed, be applicable to government in a loose sense, but they are never so applied in the constitution. In every case where they are used in it, they refer to property, to things, or some process, such as the rules of Court, or of the Houses of Congress for the government of their proceedings,—but never to government, which always implies persons to be governed. But if there should be any doubt in this case, the words immediately following, which restrict them to making "rules and regulations respecting the territory and other property of the United States," must effectually expel it. They restrict their meaning, beyond the possibility of doubt, to territory regarded as property.

But if it were possible for doubt still to exist, another and conclusive argument still remains to show that the framers of the constitution did not intend to confer by this clause governmental powers. I refer to the clause in the constitution which delegates the power of exclusive legislation to Congress over this District and "all places purchased by the consent of the legislature of the State in which the same may be for the erection of forts, magazines, arsenals, dock-

yards, and other needful buildings." The places therein referred to are clearly embraced by the expression, "other property belonging to the United States," contained in the clause I have just considered. But it is certain, that if it had been the intention of the framers of the constitution to confer governmental powers over such places by that clause, they never would have delegated it by this. They were incapable of doing a thing so absurd. But it is equally certain, if they did not intend to confer such power over them, they could not have intended it over territories. Whatever was conferred by the same words, in reference to one, must have been intended to be conferred in reference to the other, and the reverse. The opposite supposition would be absurd. But, it may be asked why the term—territory—was omitted in the delegation of exclusive legislation to Congress over the places enumerated? Very satisfactory reasons may, in my opinion, be assigned. The former were limited to places lying within the limits and jurisdiction of the States, and the latter to public land lying beyond both. The cession and purchase of the former, with the consent of the State within which they might be situated, did not oust the sovereignty or jurisdiction of the State. They still remained in the State, the United States acquiring only the title to the place. It, therefore, became necessary to confer on Congress, by express delegation, the exercise of exclusive power of legislation over this District and such places, in order to carry out the object of the purchase and session. It was simply intended to withdraw them from under the legislatures of the respective States within which they might lie, and substitute that of Congress in its place,—subject to the restrictions of the constitution and the objects for which the places were acquired,—leaving, as I have said, the sovereignty still in the State in which they are situated, but in abeyance, as far as it extends to legislation. Thus, in the case of this District,—since the retrocession to Virginia of the

part beyond the Potomac,—the sovereignty still continues in Maryland in the manner stated. But the case is very different in reference to territories, lying as they do beyond the limits and jurisdictions of all the States. The United States possess not simply the right of ownership over them, but that of exclusive dominion and sovereignty; and hence it was not necessary to exclude the power of the States to legislate over them, by delegating the exercise of exclusive legislation to Congress. It would have been an act of supererogation. It may be proper to remark in this connection, that the power of exclusive legislation, conferred in these cases, must not be confounded with the power of absolute legislation. They are very different things. It is true that absolute power of legislation is always exclusive, but it by no means follows that exclusive power of legislation or of government is likewise always absolute. Congress has the exclusive power of legislation, as far as this Government is concerned, and the State legislatures as far as their respective governments are concerned;—but we all know that both are subject to many and important restrictions and conditions which the nature of absolute power excludes.

I have now made good the assertion I ventured to make, that the clause in the constitution relied on by the Senator from New-York, so far from conferring the absolute power of government over the territory claimed by him, and others who agree with him, confers not a particle of governmental power. Having conclusively established this, the long list of precedents, cited by the Senator to prop up the power which he sought in the clause, falls to the ground with the fabric which he raised; and I am thus exempted from the necessity of referring to them, and replying to them one by one.

But there is one precedent, referred to by the Senator, unconnected with the power, and on that account requiring particular notice. I refer to the ordinance of 1787, which

was adopted by the old Congress of the Confederation while the convention that framed the constitution was in session, and about one year before its adoption,—and of course on the very eve of the expiration of the old Confederation. Against its introduction, I might object that the act of the Congress of the Confederation cannot rightfully form precedents for this Government; but I waive that. I waive also the objection that the act was consummated when that Government was *in extremis*, and could hardly be considered *compos mentis*. I waive also the fact that the ordinance assumed the form of a compact, and was adopted when only eight States were present, while the articles of confederation required nine to form compacts. I waive also the fact, that Mr. Madison declared that the act was without shadow of constitutional authority;—and shall proceed to show, from the history of its adoption, that it cannot justly be considered of any binding force.

Virginia made the cession of the territory north of the Ohio, and lying between it and the Mississippi and the lakes, in 1784. It now contains the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, and a very considerable extent of territory lying north of the latter. Shortly after the cession, a committee of three was raised, of whom Mr. Jefferson was one. They reported an ordinance for the establishment of the territory,—containing, among other provisions, one, of which Mr. Jefferson was the author, excluding slavery from the territory after the year 1800. It was reported to Congress, but this provision was struck out. On the question of striking out, every Southern State present voted in favor of it; and, what is more striking, every Southern delegate voted the same way, Mr. Jefferson alone excepted. The ordinance was adopted without the provision. At the next session, Rufus King, then a member of the old Congress, moved a proposition, very much in the same shape as the sixth article (that which excludes slavery) in the ordinance

as it now stands, with the exception of its proviso. It was referred to a committee, but there was no action on it. A committee was moved the next or the subsequent year, which reported without including or noticing Mr. King's proposition. Mr. Dane was a member of that committee, and proposed a provision the same as that in the ordinance as it passed, but the committee reported without including it. Finally, another committee was raised, at the head of which was Mr. Carrington of Virginia, and of which Mr. Dane was also a member. That committee reported without including the amendment previously proposed by him. Mr. Dane moved his proposition, which was adopted, and the report of the committee thus amended became the ordinance of 1787.

It may be inferred from this brief historical sketch, that the ordinance was a compromise between the Southern and Northern States, of which the terms were,—that slavery should be excluded from the territory upon condition that fugitive slaves, who might take refuge in the territory, should be delivered up to their owners, as stipulated in the proviso of the sixth article of the ordinance. It is manifest, from what has been stated, that the South was unitedly and obstinately opposed to the provision when first moved; that the proposition of Mr. King, without the proviso, was in like manner resisted by the South, as may be inferred from its entire want of success, and that it never could be brought to agree to it until the provision for the delivery up of fugitive slaves was incorporated in it. But it is well understood that a compromise involves not a surrender, but simply a waiver of the right or power; and hence in the case of individuals, it is a well-established legal principle, that an offer to settle by compromise a litigated claim, is no evidence against the justice of the claim on the side of the party making it. The South, to her honor, has observed with fidelity her engagements under this compromise; in proof of which, I appeal

to the precedents cited by the Senator from New-York, intended by him to establish the fact of her acquiescence in the ordinance. I admit that she has acquiesced in the several acts of Congress to carry it into effect; but the Senator is mistaken in supposing that it is proof of a surrender, on her part, of the power over the territories which he claims for Congress. No, she never has, and I trust never will, make such a surrender. Instead of that, it is conclusive proof of her fidelity to her engagements. She has never attempted to set aside the ordinance, or to deprive the territory, and the States erected within its limits, of any right or advantage it was intended to confer. But I regret that as much cannot be said in favor of the fidelity with which it has been observed on their part. With the single exception of the State of Illinois—be it said to her honor—every other State erected within its limits has pursued a course, and adopted measures, which have rendered the stipulations of the proviso to deliver up fugitive slaves nugatory. Wisconsin may, also, be an exception, as she has just entered the Union, and has hardly had time to act on the subject. They have gone further,—and suffered individuals to form combinations, without an effort to suppress them, for the purpose of enticing and seducing the slaves to leave their masters, and to run them into Canada beyond the reach of our laws—in open violation, not only of the stipulations of the ordinance, but of the constitution itself. If I express myself strongly, it is not for the purpose of producing excitement, but to draw the attention of the Senate forcibly to the subject. My object is to lay bare the subject under consideration, just as a surgeon probes to the bottom and lays open a wound, not to cause pain to his patient, but for the purpose of healing it.

I come now to another precedent of a similar character, but differing in this—that it took place under this Government, and not under that of the old Confederation; I refer

to what is known as the Missouri Compromise. It is more recent and better known, and may be more readily despatched.

After an arduous struggle of more than a year, on the question whether Missouri should come into the Union with or without restrictions prohibiting slavery, a compromise line was adopted between the North and the South; but it was done under circumstances which made it nowise obligatory on the latter. It is true, it was moved by one of her distinguished citizens (Mr. Clay); but it is equally so, that it was carried by the almost united vote of the North against the almost united vote of the South; and was thus imposed on the latter by superior numbers in opposition to her strenuous efforts. The South has never given her sanction to it, or assented to the power it asserted. She was voted down, and has simply acquiesced in an arrangement which she has not had the power to reverse, and which she could not attempt to do without disturbing the peace and harmony of the Union—to which she has ever been averse. Acting on this principle, she permitted the Territory of Iowa to be formed, and the State to be admitted into the Union, under the compromise, without objection; and this is now quoted by the Senator from New-York to prove her surrender of the power he claims for Congress.

To add to the strength of this claim, the advocates of the power hold up the name of Jefferson in its favor, and go so far as to call him the author of the so-called Wilmot proviso, which is but a general expression of a power of which the Missouri compromise is a case of its application. If we may judge by his opinion of that case, what his opinion was of the principle, instead of being the author of the proviso, or being in its favor, no one could be more deadly hostile to it. In a letter addressed to the elder Adams in 1819, in answer to one from him, he uses these remarkable expressions in reference to the Missouri question:

"The banks, bankrupt law, manufactures, Spanish treaty, are nothing. These are occurrences, which, like waves in a storm, will pass under the ship. But the Missouri question is a breaker on which we lose the Missouri country by revolt, and what more, God only knows."

To understand the full force of these expressions, it must be borne in mind that the questions enumerated were the great and exciting political questions of the day, on which parties divided. The banks and bankrupt law had long been so. Manufactures, or what has since been called the protective tariff, was at the time a subject of great excitement, as was the Spanish treaty, that is, the treaty by which Florida was ceded to the Union, and by which the western boundary between Mexico and the United States was settled, from the Gulf of Mexico to the Pacific ocean. All these exciting party questions of the day Mr. Jefferson regarded as nothing, compared to the Missouri question. He looked on all of them as in their nature fugitive; and, to use his own forcible expression, "would pass off under the ship of State like waves in a storm." Not so this fatal question. It was a breaker on which it was destined to be stranded. And yet his name is quoted by the incendiaries of the present day in support of, and as the author of, a proviso which would give indefinite and universal extension of this fatal question to all the territories! It was compromised the next year by the adoption of the line to which I have referred. Mr. Holmes of Maine, long a member of this body, who voted for the measure, addressed a letter to Mr. Jefferson, inclosing a copy of his speech on the occasion. It drew out an answer from him which ought to be treasured up in the heart of every man who loves his country and its institutions. It is brief. I will send it to the Secretary to be read. The time of the Senate cannot be better occupied than in listening to it:

"*To John Holmes.*

"MONTICELLO, *April* 22, 1820.

'I thank you, dear sir, for the copy you have been so kind as to send me of the letter to your constituents on the Missouri question. It is a perfect justification to them. I had for a long time ceased to read newspapers, or pay any attention to public affairs, confident they were in good hands, and content to be a passenger in our bark to the shore from which I am not far distant. But this momentous question, like a fire-bell in the night, awakened and filled me with terror. I considered it at once as the knell of the Union. It is hushed, indeed, for the moment. But this is a reprieve only, not the final sentence. A geographical line, coinciding with a marked principle, moral and political, once conceived and held up to the angry passions of men, will never be obliterated; and every new irritation will mark it deeper and deeper. I can say, with conscious truth, that there is not a man on earth who would sacrifice more than I would to relieve us from this heavy reproach, in any *practicable* way. The cession of that kind of property (for so it is misnamed) is a bagatelle, which would not cost me a second thought, if in that way a general emancipation and *expatriation* could be effected; and gradually, and with due sacrifices, I think it might be. But, as it is, we have the wolf by the ears, and we can neither hold him nor safely let him go. Justice is in one scale, and self-preservation in the other. Of one thing I am certain, that as the passage of slaves from one free State to another would not make a slave of a single human being who would not be so without it, so their diffusion over a greater surface would make them individually happier, and proportionally facilitate the accomplishment of their emancipation, by dividing the burden on a greater number of coadjutors. An abstinence, too, from this act of power, would remove the jealousy excited by the undertaking of Congress to regulate the condition of the different descriptions of men composing a State. This certainly is the exclusive right of every State, which nothing in the constitution has taken from them, and given to the General Government. Could Congress, for example, say that the non-freemen of Connecticut shall be freemen, or that they shall not emigrate into any other State?

"I regret that I am now to die in the belief that the useless sacrifice of themselves by the generation of 1776, to acquire self-govern-

ment and happiness to their country, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I shall not live to weep over it. If they would but dispassionately weigh the blessings they will throw away against an abstract principle, more likely to be effected by union than by scission, they would pause before they would perpetrate this act of suicide on themselves, and of treason against the hopes of the world. To yourself, as the faithful advocate of the Union, I tender the offering of my high esteem and respect.

"THOMAS JEFFERSON."

Mark his prophetic words! Mark his profound reasoning!

"It [the question] is hushed for *the moment*. But this is a *reprieve only*, not a *final sentence*. A geographical line coinciding with a marked principle, moral and political, *once conceived, and held up to the angry passions of men, will never be obliterated, and every new irritation will mark it deeper and deeper*."

Twenty-eight years have passed since these remarkable words were penned, and there is not a thought which time has not thus far verified, and, it is to be feared, will continue to verify until the whole will be fulfilled. Certain it is, that he regarded the compromise line as utterly inadequate to arrest that fatal course of events, which his keen sagacity anticipated from the question. It was but a "reprieve." Mark the deeply melancholy impression which it made on his mind:

"I regret that I am to die in the belief that the useless sacrifice of themselves by the generation of 1776, to acquire self-government and happiness for themselves, is to be thrown away by the unwise and unworthy passions of their sons, and that my only consolation is to be, that I shall not live to weep over it."

Can any one believe, after listening to this letter, that Jefferson is the author of the so-called Wilmot proviso, or

ever favored it? And yet there are at this time strenuous efforts making in the North to form a purely sectional party on it, and that, too, under the sanction of those who profess the highest veneration for his character and principles! But I must speak the truth: while I vindicate the memory of Jefferson from so foul a charge, I hold he is not blameless in reference to this subject. He committed a great error in inserting the provision he did in the plan he reported for the government of the territory, as much modified as it was. It was the first blow—the first essay "to draw a geographical line coinciding with a marked principle, moral and political." It originated with him in philanthropic, but mistaken views of the most dangerous character, as I shall show in the sequel. Others, with very different feelings and views, followed, and have given to it a direction and impetus, which, if not promptly and efficiently arrested, will end in the dissolution of the Union, and the destruction of our political institutions.

I have, I trust, established beyond controversy, that neither the ordinance of 1787, nor the Missouri compromise, nor the precedents growing out of them, nor the authority of Mr. Jefferson, furnishes any evidence whatever to prove that Congress possesses the power over the territory, claimed by those who advocate the 12th section of this bill. But admit, for the sake of argument, that I am mistaken, and that the objections I have urged against them are groundless—give them all the force which can be claimed for precedents—and they would not have the weight of a feather against the strong presumption which I, at the outset of my remarks, showed to be opposed to the existence of the power. Precedents, even in a court of justice, can have but little weight, except where the law is doubtful, and should have little in a deliberative body in any case on a constitutional question,—and none, where the power to which it has

been attempted to trace it does not exist, as I have shown, I trust, to be the case in this instance.

But, while I deny that the clause relating to the territory and other property of the United States, confers any governmental, or that Congress possesses absolute power over the territories, I by no means deny that it has any power over them. Such a denial would be idle on any occasion, but much more so on this, when we are engaged in constituting a territorial government, without an objection being whispered from any quarter against our right to do so. If there be any Senator of that opinion, he ought at once to rise and move to lay the bill on the table, or to dispose of it in some other way, so as to prevent the waste of time on a subject upon which we have no right to act. Assuming, then, that we possess the power, the only questions that remain are—whence is it derived? and, what is its extent?

As to its origin, I concur in the opinion expressed by Chief Justice Marshall, in one of the cases read by the Senator from New-York, that it is derived from the right of acquiring territory; and I am the more thoroughly confirmed in it from the fact that I entertained the opinion long before I knew it to be his. As to the right of acquiring territory, I agree with the Senator from New-York, that it is embraced, without going further, both in the war and treaty powers. Admitting, then, what has never been denied, and what it would be idle to deny in a discussion which relates to territories acquired both by war and treaties, that the United States have the right to acquire territories, it would seem to follow, by necessary consequence, that they have the right to govern them. As they possess the entire right of soil, dominion, and sovereignty over them, they must necessarily carry with them the right to govern. But this Government, as the sole agent and representative of the United States—that is, the States of the Union in their federal character—must, as such, possess the sole right, if

it exists at all. But, if there be any one disposed to take a different view of the origin of the power, I shall make no points with him,—for whatever may be its origin, the conclusion would be the same, as I shall presently show.

But it would be a great error to conclude that Congress has the absolute power of governing the territories, because it has the sole or exclusive power. The reverse is the case. It is subject to many and important restrictions and conditions, of which some are expressed and others implied. Among the former may be classed all the general and absolute prohibitions of the constitution; that is, all those which prohibit the exercise of certain powers under any circumstances. In this class is included the prohibition of granting titles of nobility; passing *ex post facto* laws and bills of attainder; the suspension of the writ of *habeas corpus*, except in certain cases; making laws respecting the establishment of religion, or prohibiting its free exercise; and every other of like description, which conclusively shows that the power of Congress over the territories is not absolute. Indeed, it is a great error to suppose that either this or the State Governments possess, in any case, absolute power. Such power can belong only to the supreme ultimate power, called sovereignty,—and this, in our system, resides in the people of the several States of the Union. With us, governments, both federal and State, are but agents, or, more properly, trustees, and, as such, possess, not absolute, but subordinate and limited powers; for all powers possessed by such governments must, from their nature, be trust powers, and subject to all the restrictions to which that class of powers are.

Among them, they are restricted to the nature and the objects of the trust; and hence no government under our system, federal or State, has the right to do any thing inconsistent with the nature of the powers intrusted to it, or the objects for which it was intrusted; or to express it in

more usual language, for which it was delegated. To do either would be to pervert the power to purposes never intended, and a violation of the constitution,—and that in the most dangerous way it could be made, because more easily done and less easily detected. But there is another and important class of restrictions which more directly relate to the subject under discussion. I refer to those imposed on the trustees by the nature and character of the party, who constituted the trustees and invested them with the trust powers to be exercised for its benefit. In this case it is the United States, that is, the several States of the Union. It was they who constituted the Government as their representative or trustee, and intrusted it with powers to be exercised for their common and joint benefit. To them in their united character the territories belong, as is expressly declared by the constitution. They are their joint and common owners, regarded as property or land; and in them, severally, reside the dominion and sovereignty over them. They are as much the territories of one State as another—of Virginia as of New-York; of the Southern as the Northern States. They are the territories of all, because they are the territories of each; and not of each, because they are the territories of the whole. Add to this the perfect equality of dignity, as well as of rights, which appertain to them as members of a common federal Union,—which all writers on the subject admit to be a fundamental and essential relation between States so united,—and it must be manifest that Congress, in governing the territories, can give no preference or advantage to one State over another, or to one portion or section of the Union over another, without depriving the State or section over which the preference is given, or from which the advantage is withheld, of their clear and unquestionable right, and subverting the very foundation on which the Union and Government rest. It has no more power to do so than to subvert the constitution itself. In-

deed, the act itself would be subversion. It would destroy the relation of equality on the part of the Southern States, and sink them to mere dependants of the Northern, to the total destruction of the federal Union.

I have now shown, I trust, beyond controversy, that Congress has no power whatever to prevent the citizens of the Southern States from emigrating with their property into the territories of the United States, or to give an exclusive monopoly of them to the North. I now propose to go one step further, and show that neither the inhabitants of the territories nor their legislatures have any such right. A very few words will be sufficient for the purpose; for of all the positions ever taken, I hold that which claims the power for them to be the most absurd. If the territories belong to the United States—if the ownership, dominion and sovereignty over them be in the States of this Union, then neither the inhabitants of the territories, nor their legislatures, can exercise any power but what is subordinate to them: but if the contrary could be shown, which I hold to be impossible, it would be subject to all the restrictions, to which I have shown the power of Congress is; and for the same reason, whatever power they might hold, would, in the case supposed, be subordinate to the constitution, and controlled by the nature and character of our political institutions. But if the reverse be true—if the dominion and sovereignty over the territories be in their inhabitants, instead of the United States—they would indeed, in that case, have the exclusive and absolute power of governing them, and might exclude whom they pleased, or what they pleased. But, in that case, they would cease to be the territories of the United States the moment we acquired them and permitted them to be inhabited. The first half-dozen of squatters would become the sovereigns, with full dominion and sovereignty over them; and the conquered people of New Mexico and California would become the sovereigns of the country as soon as they became the

territories of the United States, vested with the full right of excluding even their conquerors. There is no escaping from the alternative, but by resorting to the greatest of all absurdities, that of a divided sovereignty—a sovereignty, a part of which would reside in the United States, and a part in the inhabitants of the territory. How can sovereignty—the ultimate and supreme power of a State—be divided? The exercise of the powers of sovereignty may be divided, but how can there be two supreme powers?

We are next told that the laws of Mexico preclude slavery; and assuming that they will remain in force until repealed, it is contended that, until Congress passes an act for their repeal, the citizens of the South cannot emigrate with their property into the territory acquired from her. I admit the laws of Mexico prohibit, not slavery, but slavery in the form it exists with us. The Puros are as much slaves as our negroes, and are less intelligent and well treated. But, I deny that the laws of Mexico can have the effect attributed to them. As soon as the treaty between the two countries is ratified, the sovereignty and authority of Mexico in the territory acquired by it becomes extinct, and that of the United States is substituted in its place,—carrying with it the constitution, with its overriding control, over all the laws and institutions of Mexico inconsistent with it. It is true, the municipal laws of the territory not inconsistent with the condition and the nature of our political system would, according to the writers on the laws of nations, remain, until changed,—not as a matter of right, but merely of sufferance,—and as between the inhabitants of territory, in order to avoid a state of anarchy, before they can be brought under our laws. This is the utmost limit to which sufferance goes. Under it the peon system would continue; but not to the exclusion of such of our citizens as may choose to emigrate with their slaves or other property, that may be excluded by the laws of Mexico. The humane

provisions of the laws of nations go no further than to protect the inhabitants in their property and civil rights, under their former laws, until others can be substituted. To extend them further and give them the force of excluding emigrants from the United States, because their property or religion are such as are prohibited from being introduced by the laws of Mexico, would not only prevent a great majority of the people of the United States from emigrating into the acquired territory, but would give a higher authority to the extinct power of Mexico over the territory than to our actual authority over it. I say the great majority, for the laws of Mexico not only prohibit the introduction of slaves, but of many other descriptions of property, and also the Protestant religion, which Congress itself cannot prohibit. To such absurdity would the supposition lead.

I have now concluded the discussion, so far as it relates to the power; and have, I trust, established beyond controversy, that the territories are free and open to all of the citizens of the United States, and that there is no power, under any aspect the subject can be viewed in, by which the citizens of the South can be prevented from emigrating with their property into any of them. I have advanced no argument which I do not believe to be true, nor pushed any one beyond what truth would strictly warrant. But, if mistaken,—if my arguments, instead of being sound and true, as I hold them beyond controversy to be, should turn out to be a mere mass of sophisms,—and if in consequence, the barrier opposed by the want of power, should be surmounted, there is another still in the way, that cannot be. The mere possession of power is not, of itself, sufficient to justify its exercise. It must be, in addition, shown that, in the given case, it can be rightfully and justly exercised. Under our system, the first inquiry is: Does the constitution authorize the exercise of the power? If this be decided in the affirmative, the next is: Can it be rightfully and justly

exercised under the circumstances? And it is not, until this, too, is decided in the affirmative, that the question of the expediency of exercising it, is presented for consideration.

Now, I put the question solemnly to the Senators from the North: Can you rightly and justly exclude the South from territories of the United States, and monopolize them for yourselves, even if, in your opinion, you should have the power? It is this question I wish to press on your attention with all due solemnity and decorum. The North and the South stand in the relation of partners in a common Union, with equal dignity and equal rights. We of the South have contributed our full share of funds, and shed our full share of blood for the acquisition of our territories. Can you, then, on any principle of equity and justice, deprive us of our full share in their benefit and advantage? Are you ready to affirm that a majority of the partners in a joint concern have the right to monopolize its benefits to the exclusion of the minority, even in cases where they have contributed their full share to the concern? But, to present the case more strongly and vividly, I shall descend from generals to particulars, and shall begin with the Oregon Territory. Our title to it is founded first, and in my opinion, mainly on our purchase of Louisiana; that was strengthened by the Florida treaty, which transferred to us the title also of Spain; and both by the discovery of the mouth of the Columbia river by Capt. Gray, and the exploration of the entire stream, from its source down to its mouth, by Lewis and Clark. The purchase of Louisiana cost fifteen millions of dollars; and we paid Spain five millions for the Florida treaty; making twenty in all. This large sum was advanced out of the common funds of the Union: the South, to say the least, contributing her full share. The discovery was made, it is true, by a citizen of Massachusetts; but he sailed under the flag and protection of the Union, and of

course, whatever title was derived from his discovery, accrued to the benefit of the Union. The exploration of Lewis and Clark was at the expense of the Union. We are now about to form it into a territory; the expense of governing which, while it remains so, must be met out of the common fund, and towards which the South must contribute her full share. The expense will not be small. Already there is an Indian war to be put down, and a regiment for that purpose, and to protect the territory, has been ordered there. To what extent the expense may go we know not, but it will, not improbably, involve millions before the territory becomes a State. I now ask, Is it right, is it just—after having contributed our full share for the acquisition of the territory, with the liability of contributing, in addition, our full share of the expense for its government—that we should be shut out of the territory, and be excluded from participating in its benefits? What would be thought of such conduct in the case of individuals? And can that be right and just in Government, which every right-minded man would cry out to be base and dishonest in private life? If it would be so pronounced in a partnership of thirty individuals, how can it be pronounced otherwise in one of thirty States?

The case of our recently acquired territory from Mexico is, if possible, more marked. The events connected with the acquisition are too well known to require a long narrative. It was won by arms, and a great sacrifice of men and money. The South, in the contest, performed her full share of military duty, and earned a full share of military honor; has poured out her full share of blood freely, and has and will bear a full share of the expense; has evinced a full share of skill and bravery, and if I were to say even more than her full share of both, I would not go beyond the truth; to be attributed, however, to no superiority in either respect, but to accidental circumstances, which gave both its officers and soldiers more favorable opportunities for their display. All

have done their duty nobly, and high courage and gallantry are but common attributes of our people. Would it be right and just to close a territory thus won against the South, and leave it open exclusively to the North? Would it deserve the name of free soil, if one half of the Union should be excluded and the other half should monopolize it, when it was won by the joint expense and joint efforts of all? Is the great law to be reversed—that which is won by all should be equally enjoyed by all? These are questions which address themselves more to the heart than the head. Feeble must be the intellect which does not see what is right and just, and bad must be the heart, unless unconsciously under the control of deep and abiding prejudice, which hesitates in pronouncing on which side they are to be found. Now, I put the question to the Senators from the North: What are you prepared to do? Are you prepared to prostrate the barriers of the constitution, and in open defiance of the dictates of equity and justice, to exclude the South from the territories and monopolize them for the North? If so, vote against the amendment offered by the Senator from Mississippi (Mr. Davis), and if that should fail, vote against striking out the 12th section. We shall then know what to expect. If not, place us on some ground where we can stand as equals in rights and dignity, and where we shall not be excluded from what has been acquired at the common expense, and won by common skill and gallantry. All we demand is to stand on the same level with yourselves, and to participate equally in what belongs to all. Less we cannot take.

I turn now to my friends of the South, and ask: What are you prepared to do? If neither the barriers of the constitution nor the high sense of right and justice should prove sufficient to protect you, are you prepared to sink down into a state of acknowledged inferiority; to be stripped of your dignity of equals among equals, and be deprived of your

equality of rights in this federal partnership of States? If so, you are wofully degenerated from your sires, and will well deserve to change condition with your slaves;—but if not, prepare to meet the issue. The time is at hand, if the question should not be speedily settled, when the South must rise up, and bravely defend herself, or sink down into base and acknowledged inferiority; and it is because I clearly perceive that this period is favorable for settling it, if it is ever to be settled, that I am in favor of pressing the question now to a decision—not because I have any desire whatever to embarrass either party in reference to the Presidential election. At no other period could the two great parties into which the country is divided be made to see and feel so clearly and intensely the embarrassment and danger caused by the question. Indeed, they must be blind not to perceive that there is a power in action that must burst asunder the ties that bind them together, strong as they are, unless it should be speedily settled. Now is the time, if ever. Cast your eyes to the North, and mark what is going on there; reflect on the tendency of events for the last three years in reference to this the most vital of all questions, and you must see that no time should be lost.

I am thus brought to the question, How can the question be settled? It can, in my opinion, be finally and permanently adjusted but one way,—and that is on the high principles of justice and the constitution. Fear not to leave it to them. The less you do the better. If the North and South cannot stand together on their broad and solid foundation, there is none other on which they can. If the obligations of the constitution and justice be too feeble to command the respect of the North, how can the South expect that she will regard the far more feeble obligations of an act of Congress? Nor should the North fear that, by leaving it where justice and the constitution leave it, she would be excluded from her full share of the territories. In my opin-

ion, if it be left there, climate, soil, and other circumstances would fix the line between the slaveholding and non-slaveholding States in about 36° 30′. It may zigzag a little, to accommodate itself to circumstances—sometimes passing to the north, and at others passing to the south of it; but that would matter little, and would be more satisfactory to all, and tend less to alienation between the two great sections, than a rigid, straight, artificial line, prescribed by an act of Congress.

And here, let me say to Senators from the North;—you make a great mistake in supposing that the portion which might fall to the south of whatever line might be drawn, if left to soil, and climate, and circumstances to determine, would be closed to the white labor of the North, because it could not mingle with slave labor without degradation. The fact is not so. There is no part of the world where agricultural, mechanical, and other descriptions of labor are more respected than in the South, with the exception of two descriptions of employment—that of menial and body servants. No Southern man—not the poorest or the lowest—will, under any circumstance, submit to perform either of them. He has too much pride for that, and I rejoice that he has. They are unsuited to the spirit of a freeman. But the man who would spurn them feels not the least degradation to work in the same field with his slave; or to be employed to work with them in the same field or in any mechanical operation; and, when so employed, they claim the right—and are admitted, in the country portion of the South—of sitting at the table of their employers. Can as much, on the score of equality, be said of the North. With us the two great divisions of society are not the rich and poor, but white and black; and all the former, the poor as well as the rich, belong to the upper class, and are respected and treated as equals, if honest and industrious; and hence

have a position and pride of character of which neither poverty nor misfortune can deprive them.

But I go further, and hold that justice and the constitution are the easiest and safest guard on which the question can be settled, regarded in reference to party. It may be settled on that ground simply by non-action—by leaving the territories free and open to the emigration of all the world, so long as they continue so,—and when they become States, to adopt whatever constitution they please, with the single restriction, to be republican, in order to their admission into the Union. If a party cannot safely take this broad and solid position and successfully maintain it, what other can it take and maintain? If it cannot maintain itself by an appeal to the great principles of justice, the constitution, and self-government, to what other, sufficiently strong to uphold them in public opinion, can they appeal? I greatly mistake the character of the people of this Union, if such an appeal would not prove successful, if either party should have the magnanimity to step forward, and boldly make it. It would, in my opinion, be received with shouts of approbation by the patriotic and intelligent in every quarter. There is a deep feeling pervading the country that the Union and our political institutions are in danger, which such a course would dispel, and spread joy over the land.

Now is the time to take the step, and bring about a result so devoutly to be wished. I have believed, from the beginning, that this was the only question sufficiently potent to dissolve the Union, and subvert our system of government; and that the sooner it was met and settled, the safer and better for all. I have never doubted but that, if permitted to progress beyond a certain point, its settlement would become impossible, and am under deep conviction that it is now rapidly approaching it,—and that if it is ever to be averted, it must be done speedily. In uttering these opinions I look to the whole. If I speak earnestly, it is to

save and protect all. As deep as is the stake of the South in the Union and our political institutions, it is not deeper than that of the North. We shall be as well prepared and as capable of meeting whatever may come, as you.

Now, let me say, Senators, if our Union and system of government are doomed to perish, and we to share the fate of so many great people who have gone before us, the historian, who, in some future day, may record the events ending in so calamitous a result, will devote his first chapter to the ordinance of 1787, lauded as it and its authors have been, as the first of that series which led to it. His next chapter will be devoted to the Missouri compromise, and the next to the present agitation. Whether there will be another beyond, I know not. It will depend on what we may do.

If he should possess a philosophical turn of mind, and be disposed to look to more remote and recondite causes, he will trace it to a proposition which originated in a hypothetical truism, but which, as now expressed and now understood, is the most false and dangerous of all political errors. The proposition to which I allude, has become an axiom in the minds of a vast many on both sides of the Atlantic, and is repeated daily from tongue to tongue, as an established and incontrovertible truth; it is,—that "all men are born free and equal." I am not afraid to attack error, however deeply it may be intrenched, or however widely extended, whenever it becomes my duty to do so, as I believe it to be on this subject and occasion.

Taking the proposition literally (it is in that sense it is understood), there is not a word of truth in it. It begins with "all men are born," which is utterly untrue. Men are not born. Infants are born. They grow to be men. And concludes with asserting that they are born "free and equal," which is not less false. They are not born free. While infants they are incapable of freedom, being destitute

alike of the capacity of thinking and acting, without which there can be no freedom. Besides, they are necessarily born subject to their parents, and remain so among all people, savage and civilized, until the development of their intellect and physical capacity enables them to take care of themselves. They grow to all the freedom of which the condition in which they were born permits, by growing to be men. Nor is it less false that they are born "equal." They are not so in any sense in which it can be regarded; and thus, as I have asserted, there is not a word of truth in the whole proposition, as expressed and generally understood.

If we trace it back, we shall find the proposition differently expressed in the Declaration of Independence. That asserts that "all men are created equal." The form of expression, though less dangerous, is not less erroneous. All men are not created. According to the Bible, only two—a man and a woman—ever were—and of these one was pronounced subordinate to the other. All others have come into the world by being born, and in no sense, as I have shown, either free or equal. But this form of expression being less striking and popular, has given way to the present, and under the authority of a document put forth on so great an occasion, and leading to such important consequences, has spread far and wide, and fixed itself deeply in the public mind. It was inserted in our Declaration of Independence without any necessity. It made no necessary part of our justification in separating from the parent country, and declaring ourselves independent. Breach of our chartered privileges, and lawless encroachment on our acknowledged and well-established rights by the parent country, were the real causes,—and of themselves sufficient, without resorting to any other, to justify the step. Nor had it any weight in constructing the governments which were substituted in the place of the colonial. They were formed of the old materials and on practical and well-

and danger from without, the power necessary for government to possess, in order to preserve society against anarchy and destruction, becomes greater and greater, and individual liberty less and less, until the lowest condition is reached,—when absolute and despotic power becomes necessary on the part of the government, and individual liberty extinct. So, on the contrary, just as a people rise in the scale of intelligence, virtue, and patriotism, and the more perfectly they become acquainted with the nature of government, the ends for which it was ordered, and how it ought to be administered, and the less the tendency to violence and disorder within, and danger from abroad,—the power necessary for government becomes less and less, and individual liberty greater and greater. Instead, then, of all men having the same right to liberty and equality, as is claimed by those who hold that they are all born free and equal, liberty is the noble and highest reward bestowed on mental and moral development, combined with favorable circumstances. Instead, then, of liberty and equality being born with men,—instead of all men and all classes and descriptions being equally entitled to them, they are high prizes to be won, and are in their most perfect state, not only the highest reward that can be bestowed on our race, but the most difficult to be won,—and when won, the most difficult to be preserved.

They have been made vastly more so by the dangerous error I have attempted to expose,—that all men are born free and equal,—as if those high qualities belonged to man without effort to acquire them, and to all equally alike, regardless of their intellectual and moral condition. The attempt to carry into practice this, the most dangerous of all political errors, and to bestow on all—without regard to their fitness either to acquire or maintain liberty—that unbounded and individual liberty supposed to belong to man in the hypothetical and misnamed state of nature, has done more to retard the cause of liberty and civilization, and is

But to call it a state of nature was a great misnomer, and has led to dangerous errors; for that cannot justly be called a state of nature which is so opposed to the constitution of man as to be inconsistent with the existence of his race and the development of the high faculties, mental and moral, with which he is endowed by his Creator.

Nor is the social state of itself his natural state; for society can no more exist without government, in one form or another, than man without society. It is the political, then, which includes the social, that is his natural state. It is the one for which his Creator formed him,—into which he is impelled irresistibly,—and in which only his race can exist and all its faculties be fully developed.

Such being the case, it follows that any, the worst form of government, is better than anarchy; and that individual liberty, or freedom, must be subordinate to whatever power may be necessary to protect society against anarchy within or destruction without; for the safety and well-being of society is as paramount to individual liberty, as the safety and well-being of the race is to that of individuals; and in the same proportion the power necessary for the safety of society is paramount to individual liberty. On the contrary, government has no right to control individual liberty beyond what is necessary to the safety and well-being of society. Such is the boundary which separates the power of government and the liberty of the citizen or subject in the political state, which, as I have shown, is the natural state of man—the only one in which his race can exist, and the one in which he is born, lives, and dies.

It follows from all this that the quantum of power on the part of the government, and of liberty on that of individuals, instead of being equal in all cases, must necessarily be very unequal among different people, according to their different conditions. For just in proportion as a people are ignorant, stupid, debased, corrupt, exposed to violence within,

and danger from without, the power necessary for government to possess, in order to preserve society against anarchy and destruction, becomes greater and greater, and individual liberty less and less, until the lowest condition is reached,—when absolute and despotic power becomes necessary on the part of the government, and individual liberty extinct. So, on the contrary, just as a people rise in the scale of intelligence, virtue, and patriotism, and the more perfectly they become acquainted with the nature of government, the ends for which it was ordered, and how it ought to be administered, and the less the tendency to violence and disorder within, and danger from abroad,—the power necessary for government becomes less and less, and individual liberty greater and greater. Instead, then, of all men having the same right to liberty and equality, as is claimed by those who hold that they are all born free and equal, liberty is the noble and highest reward bestowed on mental and moral development, combined with favorable circumstances. Instead, then, of liberty and equality being born with men,—instead of all men and all classes and descriptions being equally entitled to them, they are high prizes to be won, and are in their most perfect state, not only the highest reward that can be bestowed on our race, but the most difficult to be won,—and when won, the most difficult to be preserved.

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doing more at present, than all other causes combined. While it is powerful to pull down governments, it is still more powerful to prevent their construction on proper principles. It is the leading cause among those which have placed Europe in its present anarchical condition, and which mainly stands in the way of reconstructing good governments in the place of those which have been overthrown,—threatening thereby the quarter of the globe most advanced in progress and civilization with hopeless anarchy,—to be followed by military despotism. Nor are we exempt from its disorganizing effects. We now begin to experience the danger of admitting so great an error to have a place in the declaration of our independence. For a long time it lay dormant; but in the process of time it began to germinate, and produce its poisonous fruits. It had strong hold on the mind of Mr. Jefferson, the author of that document, which caused him to take an utterly false view of the subordinate relation of the black to the white race in the South; and to hold, in consequence, that the latter, though utterly unqualified to possess liberty, were as fully entitled to both liberty and equality as the former; and that to deprive them of it was unjust and immoral. To this error, his proposition to exclude slavery from the territory northwest of the Ohio may be traced,—and to that the ordinance of 1787,—and through it the deep and dangerous agitation which now threatens to ingulf, and will certainly ingulf, if not speedily settled, our political institutions, and involve the country in countless woes.

SPEECH

On the Amendment offered to the Bill from the House of Representatives, establishing a Territorial Government for Oregon, and proposing to extend the Missouri Compromise Line to the Pacific Ocean; delivered in the Senate, August 12th, 1849.

I SHALL vote against this amendment—but for reasons very different from those assigned by the Senator from Massachusetts (Mr. Webster). I shall vote against it, because, in the first place, I regard it as ambiguous. In proposing to extend the Missouri Compromise line westward to the Pacific, it makes no provision whatever to protect the rights of the South to the portions of New-Mexico and California south of latitude 36° 30′, while it surrenders to the exclusive occupancy of the North all that lies north of it. Whether it gives us any security or not to the portion lying south, is left entirely to construction. The most zealous advocate of the Wilmot Proviso may vote for it on the construction that it surrenders to the North all lying north of the line, and leaves open to contest all south of it; while on the opposite construction, that it secures by implication the rights of the South to all lying south of the line, a zealous opponent of that proviso may vote for it. As to myself, I am for plain dealing on all questions, and especially on this, in reference to which we have already experienced so much bad faith on the part of the North; and cannot therefore vote for any measure susceptible of such opposite constructions. It is time that all ambiguity should cease on this question, and that every portion of the Union should distinctly understand what to expect in reference to it. Should this amendment

be adopted, it is certain, one side or the other will be deceived; nor can there be much doubt as to which it will be. It may be laid down as an established rule, that where the stronger party refuses to be explicit, as in this case, the weaker, if it yields its assent, will in the end be deceived and defrauded.

I shall, in the next place, vote against this amendment for another reason not less conclusive with me. The Senator from Massachusetts (Mr. Webster), and others who act with him on this occasion, oppose it, because they are resolved to pass the bill as it came from the House, without amendment or modification, in order to assert the absolute and unconditional power of Congress over the territories, and thereby to establish a precedent in this case, to exclude the South from all other territories of the United States now possessed or hereafter to be acquired. It is that, and not the exclusion of slavery from Oregon, where they well know there is no probability of its introduction, which makes them so unyielding and intent on passing this bill as it came from the House; but they cannot be more intent on asserting the power than I am against its assertion, and in maintaining our rights and equality in reference to all the territories belonging to the Union. I, for one, shall not yield an inch, nor give a vote which can by implication be construed to surrender our full right and equality as members of the Union. The North cannot have a deeper interest in asserting absolute power over the territories, than the South has in resisting it. If it be important to her, as the means of extending her power and ascendency over this Government, it is still more so to the South to resist it,—not only as indispensable to the preservation of her rights and equality, but her safety itself. Thus thinking, I can neither vote for the amendment, nor the bill with the amendment, if it should be adopted.

I go further. I would not vote for the bill, even with the

amendment proposed, on a former occasion, by the Senator from Kentucky (Mr. Underwood), as effectually as that would protect us in the portion of New-Mexico and California lying south of 36° 30′. I would not, because it might be construed to admit by implication the absolute power over the territories for which the North is so strenuously and obstinately contending. But, although I would not vote for it, I would acquiesce should the proposition come from the North—provided it should be offered in the spirit of harmony, and should receive her support; in the same way that we acquiesced in the Missouri Compromise, and from the same motive—a cherished regard for the Union. But while I would acquiesce in a compromise thus offered and supported, I cannot imagine a course more humiliating and dangerous, than for the South—the feebler party—to propose such a compromise, or to adopt it by her votes, united with a small portion of the votes of the North, against the votes and the bold and arrogant claims of the rest to the absolute power to exclude us at pleasure from all the territories. Instead of a compromise, it would be a surrender on our part, with a pistol at the breast. Its impolicy would not be less than its infamy; for what possible assurance would there be, that such a compromise would be respected? The evidence it would afford of our want of spirit would but tend to unite and animate the North. In a short time, the few who voted with us from that section, would be discarded, as in the case of the Missouri Compromise, and others hostile to us would take their place; when the united North would regard our proposition and vote as a surrender of the power, and treat with merited scorn our humiliating and base surrender.

Having now announced the course I intend to take in reference to this amendment and bill, I propose, before I conclude, to avail myself of this, as a fit occasion to state what I believe to be the present state of this question, and in what it must end, unless it should be speedily and effectu-

ally arrested. In executing what I propose, I deem it to be a duty to my constituents and the country to be perfectly explicit and unreserved in my remarks. To understand the nature of a disease, and the laws by which its progress is governed, and the stage at which it has arrived, is the first and indispensable step preparatory to applying a remedy.

There are diseases of the body politic, as well as our natural bodies, that never will stop of themselves. Abolition is one of them. If left to itself, it will pass through all its stages, from the first agitation, until it ends in emancipation and the destruction of the Government. The cause is to be found in the nature of the disease, connected with the character of our political institutions, as I shall proceed to show.

If traced to its source, it will be found to originate in the belief of not a small portion of the people of the North, that slavery is sinful, notwithstanding the authority of the Bible to the contrary. It is not necessary, with the object in view, to ascertain the cause of this belief. It is sufficient for my purpose, that such is the fact, and that the conviction is deep and sincere with not a few. But certain it is, that the belief is of recent origin. There was a period, and that not long ago, when it did not exist—when the Northern States were slaveholding communities, and extensively and profitably engaged in importing slaves into the South. It would be not a little curious and interesting to trace the causes which have led, in so short a time, to so great a change; but I forbear the attempt, because it would give a greater range than I propose to my remarks. But it is pertinent to state, that an increased attachment and devotion to liberty cannot be enumerated among them. On the contrary, the standard of liberty, instead of being raised, has been greatly lowered, with the progress of abolitionism. Before it took its rise, no people were regarded as free, who did not live under constitutional governments. With us the standard was so high,

that we regarded no people as free who did not live under popular, or as it was then called, Republican Governments. Even within my recollection, it was a subject of dispute whether the English people were free, as they were governed in part by a king and an aristocracy. But now every people are called free, however despotic the government. Even if conquered and subject to the unlimited control of a foreign government, they are regarded, not as slaves, but free. Indeed, serfs are scarcely regarded as slaves, and have little of the sympathy of the abolitionists. The term slave is now restricted almost exclusively to African slavery, as it exists on this continent and its islands; and it is only in that form that it excites the sympathy, or claims the attention of abolitionists. In none other do they regard it as sinful, if they are to be judged by their acts. In their eyes, sugar, coffee, cotton, or any other article made by the conquered and enslaved Hindoos or serfs of Russia, is free made,—and that only made by enslaved Africans on this continent or its islands, is slave made. To so low a standard has freedom or liberty sunk; and yet those who have so degraded it, claim to be its exclusive friends, and in their delusion, regard all other forms of slavery as innocent, except that in which it exists with us! To abolish African slavery in that form, is to extinguish slavery, according to their conception, every where, and introduce universal liberty!

It is not at all surprising, with this impression, there should spring up a strong fanatical feeling in the North in favor of abolition, which needs nothing but some exciting cause to rouse it into action. The abolition of African slavery in its old form in the British West India Islands, and the long and violent agitation which preceded it, did much to arouse this feeling at the North, and confirm the impression that it was sinful. But something more was necessary to excite it into action,—and that was, a belief, on the part

of those who thought it sinful, that they were responsible for its continuance.

It was a considerable time before such a belief was created, except to a very limited extent. In the early stages of this Government, while it was yet called, and regarded to be, a federal Government, slavery was believed to be a local institution, and under the exclusive control of the Governments of the several States. So long as this impression remained, little or no responsibility was felt on the part of any portion of the North, for its continuance. But with the growth of the power and influence of the Government, and its tendency to consolidation,—when it became usual to call the people of these States a nation, and this Government national, the States came to be regarded by a large portion of the North, as bearing the same relation to it, as the counties do to the States; and as much under the control of this Government, as the counties are under that of their representative State Governments. The increase of this belief was accompanied by a corresponding increase of the feeling of responsibility for the continuance of slavery, on the part of those in the North who considered it so. At this stage it was strengthened into conviction by the proclamation of General Jackson and the act of Congress authorizing him to employ the entire force of the Union against the Government and people of South Carolina. Both were based on the assumption, that this Government had the unlimited right, in the last resort, to determine the extent of its powers, and to enforce obedience on the part of the States, on all questions in which the extent of the powers delegated to the United States, and those reserved to the States and the people, might be involved,—an assumption which, in fact, confers on this Government absolute and unlimited control over the States and all their institutions, and makes it in practice a consolidated Government.

Such assumption could not but have a powerful effect in

rousing into action the heretofore dormant feeling of abolitionism; and it was accordingly roused into action for the first time in 1835, two years thereafter. It commenced with a simultaneous and wide-spread circulation of incendiary publications all over the South, and has continued increasing ever since, without the least indication of abatement.

Having traced abolitionism to its source, and explained the cause which roused it into action, I shall next proceed to explain the cause why the agitation has continued to advance with increased violence, without any symptom of abatement.

The cause certainly is not to be found in the nature of that in which it has been shown to originate. Fanaticism, from its nature, breaks out into violent movements, and soon exhausts itself by its extravagance and folly, unless it comes to be combined with some more steady and permanent cause of action. The reason is to be found in the fact, that fanatics, as a class, have far more zeal than intellect,—and are fanatics only because they have. There can be no fanaticism, but where there is more passion than reason; and hence, in the nature of things, movements originating in it run down in a short time by their folly and extravagance. This instance would have formed no exception. The fanatics with whom the agitation commenced were of no standing or weight, while they possessed in a high degree the ardent zeal and the feeble intellect belonging to that description of persons. If left to themselves, the agitation would long since have ceased.

Nor is it less certain, that the continuance of its increase without the least tendency to abatement, is not to be found in any interest the North has in abolishing slavery. Her interest is the very reverse. It has often been assigned, as a reason for abolishing it, that it is hostile to the prosperity of the South, and that it is the real cause of its relative pov-

erty compared with the North. Be this as it may, no one can have the assurance to assert that slavery with us has been, or is hostile to the prosperity of the North. If the South does not profit by it, the North beyond question has, and is profiting by it, and that to a vast extent. Strike out the product of slave labor,—the great staples of cotton, rice, tobacco, and sugar,—and what would become of the commerce, the shipping, the navigation, and the manufactures of the North, and the revenue of the Government? What would become of her great commercial and manufacturing towns, and her vast tonnage and shipping, crowding every harbor and afloat on every sea?

But, if the cause of the continued increase of the abolition agitation is not to be found in the nature of fanaticism, in which it originated, nor the interest of the North, where is it to be found, except in its connection with the party movements of the day, for which our political institutions afford such remarkable facilities? To realize the extent of these facilities, it must be borne in mind that our system of government throughout, both State and Federal, is based on elections; that the distribution of all the honors, and vast patronage of both, depends on them; and that the people every where are divided into two parties, nearly equally divided in most of the States, and are ever engaged in ardent struggles to obtain, or retain, a majority, and thereby the control of Government, and with it the distribution of its honors and emoluments. The consequence of this state of things is, that if a party, held together by some cohesive force stronger than the ties which hold together the two political parties, should spring up, each of the two, in their ardent struggle for the mastery, would court it, and, if necessary to obtain its support, profess a regard and attachment to its cause. Such is the abolition party, or, at least, such was it in its origin. In their fanatical zeal, they believed slavery to be sinful; and that, in their efforts to put it down,

they were serving the cause both of God and man. Now if we add, that at the North, where it originated, the two political parties are usually more equally divided, and the struggle between them still more ardent than at the South; not only because their own local patronage is generally larger, and that they are, to a far greater extent, the recipients of the emoluments of the Federal Government, but also because the tendency to conflict between the democratical and aristocratical elements of society is far stronger there than at the South. Such being the case, it was next to impossible to prevent abolitionism from connecting and combining its movements with the party movements in that quarter of the Union. Each party there, and especially the weaker for the time, would be sure to bid for the votes of the abolitionists; and for that purpose countenance, favor, and support them and their movements, however averse in reality they might be to them, or however mischievous they might regard their movements. They thus became the object of courtship by both parties, and it is not at all wonderful that they should increase in number and influence under the joint patronage of the two, until their weight became so considerable, as to be sufficient to turn the scales in favor of either in several of the Northern States. At this stage it began to be sensibly felt in the action of the Federal Government, and especially in the election of the President and Vice-President—the common centre of the struggle of the two great parties throughout the Union. This influence extended to elections even with us, and thereby gave a powerful impulse to the cause of abolition in the North; and, at the same time, has divided, distracted, and debased the South.

It is not necessary, with the object I have in view, to enter into a minute investigation to show how this has been effected. It is sufficient to state, the leaders of the two parties soon perceived that this new element, which had infused itself into the political movements of the North, had a strong

tendency to separate the Northern and Southern wings of the respective parties, and that, to preserve their unity, it was indispensable to adopt efficient measures to counteract it. Each perceived that its success over the other in the Presidential election, and of course, to obtain or retain the power to distribute the honors and emoluments of the Government among themselves, depended on it. For this purpose, the leaders of the parties, both at the South and North, including their respective organs, adopted the policy of observing silence, and of keeping out of sight, as far as possible, the movements and progress of the abolitionists, and the countenance and support they received from their respective parties at the North; and when compelled to notice any act or movement, too marked to be passed in silence, of denouncing in as feeble tones as possible,—and, at the same time, of throwing whatever blame they attached to it, on the opposite party, and of excusing their own. This policy has been observed with such success by the party leaders and organs, as to keep the people of the South, to a great extent, ignorant of the movements of the abolitionists, and the actual progress they have made towards accomplishing their object. It has done more, and worse. It has kept the South divided, distracted, and engrossed in Presidential struggles, in which she has comparatively little interest, and indifferent to that which vitally concerns her safety. It has not stopped here,—it has so blunted her feelings as to render her almost indifferent to the greatest insult and the most flagrant aggressions on her rights; so much so, that when the support of the abolitionists and their movements by both parties at the North became at length too glaring to be any longer concealed, instead of uniting in a bold and manly stand in opposition to both, the leaders and organs of the two parties at the South have entered into a pitiful contest to prove that their respective candidate and party at the North are less hostile to us than are their opponents; as if nothing was left us,

but to choose the least hostile for our protector! Can degradation go further?

Under the debasing influence of this policy, both parties at the South have permitted their Northern associates to court the abolitionists, and receive their votes without losing ours, in the election of the President and Vice-President. Is it then wonderful that they should increase in strength and influence, while we, in the same degree, should become weak and insignificant? Under the same debasing influence, we have yielded step by step; made concession after concession; permitted aggression after aggression, and submitted to insult after insult, until the North has lost all respect for us, and come to believe that we cannot be kicked into resistance. That such has been the consequence, I appeal for proof to the history of the progress of abolition, from its first outbreak in 1835, to this time. The whole consists of concessions on our part, and aggressions on theirs; concessions made, and aggressions submitted to, by both parties at the South, in order to preserve their connection with their respective parties at the North,—and each followed by an increase of strength on the part of the abolitionists, and decrease on that of ours, until they have attained sufficient power and influence to form a political party of their own, with sanguine hopes of electing their Presidential candidate, and to obtain the control of the Federal Government, if not now, in a few years. Nor will they be deceived, if things be permitted to progress as they have heretofore done. If we continue to pursue the same policy we have thus far, the same causes which have raised them to their present height, and sunk us to our present depression, will continue to operate with increased energy, until we shall cease to have the spirit and power to resist, and shall be compelled to submit without effort,—when emancipation, the great object of agitation, will be consummated. Nothing short of some effi-

cient remedy, speedily applied, can prevent the catastrophe—to so dangerous a stage has the disease already reached.

The first step towards applying such a remedy is to cease to look for it to the old party associations and the Presidential elections. They have been tried, fully tried, and have utterly failed. Instead of a remedy, they have acted as the wind to the flame—increased its fury and extended it far and wide. Without them, it would long since have ceased of itself—and that without reaching our borders or endangering our safety. To find the remedy, we must then cease to look to them, and look to ourselves. There it may be found; but even there, only in our union and fixed resolve to arrest the disease, be the consequences what they may. We have still the power to protect ourselves, if we have not lost the spirit and patriotism to put it forth. We must prove by our acts, that we still have the blood of our patriotic and heroic ancestors running in our veins; and that our long submission to insult and aggressions has been caused, not from a want of spirit to defend our rights, but from a regard for the Union. If we evince by our acts fixed determination to hold no political connection with any party at the North, which is not prepared to enforce the guaranties of the constitution in our favor, and respect our rights, a host of true and faithful allies would soon rally to our support there; unless, indeed, the disease has already made such progress, that the North is willing to sacrifice the Union on the altar of abolition. If such should prove to be the case, it would only prove the imperious necessity of looking to ourselves, and ceasing to look to either party at the North for the protection of our liberty and safety. In that event, he among us would be a traitor to the South, who would not spurn old political party associations, when they stood in the way of union among ourselves.

But as greatly as the North is already tainted by abolitionism, I do not believe it is so much so yet, as to be ready

to sacrifice the Union for its sake. That it has made rapid progress within the last two or three years is certain. No stronger proof of the fact need be furnished than what is doing at this time at Buffalo, in New-York, where there is collected a numerous assembly from every portion of the North—consisting of abolitionists of every shade and description, combined with no inconsiderable number of men of influence belonging to both the two great political parties, and under the lead of one who a few years since stood at the head of the Democratic party, and filled the highest office in the Union. The avowed motive for assembling, is to form a distinct and separate political party—sectional in its object and character—and having for the main element of its union the entire exclusion of the South from all the territories belonging to the United States, acquired or to be acquired. For this purpose, they propose to nominate candidates for the Presidency and Vice-Presidency at the approaching election, in the hope of throwing the present election into the House of Representatives, and carrying the next succeeding by a popular vote. And who can tell, if we permit the state of things, that has raised abolitionism from its humble start to so great an elevation, to be continued, what may occur in the next four years? If, under its influence, it has attained sufficient strength already to aspire to the Presidency, what is there to prevent its success at the end of the next four years, if its operation is permitted to be continued? Or who can tell, even if that should not be the case, whether, within the same period, alienation and hostility between the two sections may not be so increased and the South so divided, distracted, and weakened, that it will be then too late to save the Union, if not, also, too late to save ourselves? Already the occurrences of the last few months are calculated to destroy all confidence in the support of either party at the North. Less than a month since, there was a fair prospect of the adjustment of the territorial

question on the compromise of the constitution itself, without a surrender of a particle of constitutional right on either side. Since then, so strong has been the demonstration at the North against that or any other adjustment, or even against the acceptance of any concession on our part short of a formal surrender of all rights under the constitution to the whole, that the members of both parties from that section, united almost to a man against every measure which did not contain the assertion of the absolute right in Congress to exclude us at its pleasure from all the territories. I have great respect and sincere feelings of kindness for many of the members from the North who have in so short a period changed their position, and voted against us. It was done, no doubt, in deference to what they believed to be the wish of their constituents, and not from any change of opinion on their part; but this is no cause of consolation to us, nor is it calculated to increase our reliance on them hereafter. It only proves that they are sounder than their constituents, and that we cannot rely on them when their opinion on this question differs from theirs; and that, instead of looking to them, or their professions, or promises, we must look to the opinions and acts of those they represent.

With such irresistible evidence before us of the great and rapid progress of abolitionism without the slightest indication of abatement, he is blind who does not see, if the state of things which has caused it should be permitted to continue, that it will speedily be too late, if not to save ourselves, to save the Union. It is clear, beyond dispute, that a great majority of both parties at the North are resolved to maintain and carry out the principles of the Wilmot Proviso; or, what is the same thing in effect,—the doctrine of free soil. The argument is exhausted, and the decree pronounced, never to be reversed, unless by the united and fixed resolve of the South, that it shall not be carried into execution. Congress may, indeed, possibly agree to extend the

Missouri Compromise at the next session to the Pacific; but if it should, it would be, not on the ground of right, but as a mere matter of concession and grace on their part—to keep us quiet—and not, as heretofore, to adjust disputed claims by compromise,—or to have any force as a precedent in our favor, in case of any future acquisition of territory—even if it should be Cuba.

But suppose in this I should be mistaken, and that the extension of the line should put at rest the territorial question, and with it the Wilmot Proviso—which no one, who knows the unanimous sentiment of the North in reference to what they call free soil, can believe—that would not stop abolitionism. As bad as the Proviso is, it is not the worst or most dangerous form of its assaults; and the only effect of arresting it, would be to concentrate and give increased vigor to its attacks on more vulnerable and vital points. Movements have already been made in the other House, during the session, by both parties of the North towards abolishing slavery in this District—to be followed, no doubt, in time, by like movements to abolish it in all the forts, arsenals, navy-yards, and other places over which Congress has exclusive power of legislation. The same argument which would apply to abolishing it in this District, would equally apply to all such places; and let me add, the same argument that would establish the absolute power of Congress over the territories, would establish, with almost equal force, its absolute power over this District, and all such places. And hence, among others, the reason why the North has contended so pertinaciously and obstinately for the power over the territories. Now, when it is added, that this District and many of the forts, arsenals, navy-yards, and other places of the same description, are situated in the midst of the South, and that the North holds almost unanimously, that slavery can only exist where it is established positively by law,—and that the moment a slave puts his foot where it

is not so established, he ceases to be a slave,—who can doubt but that the abolition of slavery in them would be far more dangerous to us than the application of the Wilmot Proviso to all the territories? It would open every where, throughout the entire South, asylums to receive our fugitive slaves, who would, as soon as they entered, cease to be so. How long could slavery continue in the other portions of the South under such a state of things? And what would we gain by turning the attacks of the North from the territories to these more vulnerable points?

But these are not the only vulnerable points. There are others not much, if any less vital. It is not only through Congress, but also through the legislation of the Northern States, and the acts of their public functionaries, that we have been assailed. It is well known, that one of the strong objections which the South had to entering into a more intimate union with the North, was the danger to which we would be thereby exposed in reference to our slaves. To guard against it, and to reconcile us to the constitution, the Northern States entered into a solemn guaranty, to deliver up fugitive slaves on the demand of their owners. Instead of complying with this solemn stipulation, by passing laws to carry it into execution, and making it the duty of their public functionaries and citizens to co-operate in seizing and delivering them up, as they were in duty bound to do, there is scarcely a single Northern State that has not passed laws, which, in effect, have annulled the stipulation. They, indeed, have practically expunged it from the constitution. And we on our part have permitted this flagrant violation of the constitution and our rights under it to be perpetrated without effort to resist, rather than party associations should be disturbed. They have gone further. They have permitted societies to be organized, not only to assault and disturb the relation between master and slave, but to seduce them from their masters, and pass them secretly and rapidly into Canada, and there to place them beyond the reach of recov-

ery, and the stipulations of the constitution. Such outrages would, between independent States, be sufficient cause to justify war; and will, if we permit them to be continued, end in abolitionism, by rendering slave property worthless, without the aid of the Wilmot Proviso, or any other measure of aggression.

There still remains another mode of attack, that of itself, if permitted to go on, will be followed by the same result. I allude to the continual and incessant agitation of the subject, both in and out of Congress. It is of itself a great and dangerous outrage on our acknowledged rights and property. No one doubts but we have the right to hold slaves, and all admit that neither this Government, nor any State government, has the right to abolish slavery in the States where it exists. But, if we have the right to hold them as property, we have also the right to hold them in peace and quiet; and all attempts to disturb or question our right, with the view to its subversion, are direct and dangerous outrages. If permitted to continue, the incessant agitation and denunciation of ourselves, and of the relation existing between the two races with us, which has so long been carried on through Congress, the press, and every other way, must, in the end, destroy that relation. It would not only dispirit and debase us, but create hopes and expectations on the part of our slaves incompatible with their position and relation to us.

It is, then, manifest that the extension of the Missouri Compromise line to the Pacific, even if it should put at rest the Proviso, would not stop abolitionism, or prevent it from accomplishing its end. Its agitation and attacks would still continue directed against points at least as vulnerable, and some of them of a description beyond the power of the federal Government to interfere in order to arrest, even if disposed to do so, of which however there is no probability.

I have now stated my reasons for believing that the abolition agitation will never stop of itself, nor ever will be

stopped through the Presidential election, or the action of this Government; and that nothing short of the united and fixed determination of the South to maintain her rights at every hazard, can stop it. Without this, the end must be emancipation in the worst possible form; far worse than if done by our own voluntary act, instead of being compelled to adopt it at the bidding of a dominant section, whose interest and sympathy for them, and hostility to us, would combine to reverse the present relation between the two races in the South, by raising the inferior to be the favored and superior, and sinking the superior to be the inferior and despised.

I have now freely and explicitly expressed my conviction of what must be the result, if the causes which have led to the present state of things should be permitted to continue; and, also, how only that result can be prevented. In doing so, I have only performed what I believe to be a solemn duty, not only to my own constituents and the section where Providence has cast my lot, but to the whole Union. My conviction is strong, that all—the South and North—the Union, and the institutions of the country—are in imminent danger; and that it cannot be averted, unless the causes which have led to it, and the only means by which they can be counteracted, should be clearly seen and promptly resorted to. My object has been to point them out. If I am right, the South is under solemn obligation, both to herself and to the rest of the Union, to rally and take the remedy in her own hands, and that speedily, as the only possible mode to bring the North to pause and reflect on consequences, if, indeed, it be not already too late for that; and if, unfortunately, it should prove to be so, to save herself.

I know that very different motives may be attributed to me. There are those who can see no danger to the Union from aggressions, injustice, or violation of the constitution;

while they are ever ready to cry out disunion against every attempt to repel them. I have so often been the subject of their assaults, that I have learned to contemn them, and to leave it to the whole tenor of my life to repel them. Nearly forty years of my life have been devoted to the service of the Union. If I shall have any place in the memory of posterity, it will be in consequence of my deep attachment to it, and our federal system of Government, and earnest and honest efforts to uphold and perpetuate them. But strong as is my attachment to the Union, my attachment to liberty and the safety of the section where Providence has cast my lot, is still stronger; not that I am sectional in my feelings, for I have ever looked with deep interest to the good of the whole, and rejoiced in the prosperity of every portion. Nor have I ever, in any instance, supported the interest of my section, at the expense of any other. If I have stood up for it on many and important questions, it has been defensively—to repel aggressions on its rights, to which, as the weaker section, it has often been subject. In doing so, I have ever regarded myself, not only as performing a duty I owed to it, but to the whole Union; for I hold it to be true, in a federal system like ours, that the section or portion of the Union which permits encroachment on its constitutional rights, when it can prevent it, is not much less guilty than that which perpetrates the wrong. Our Union and political institutions can only be preserved by preserving the rights and equality established among its members by the constitution; and these can only be preserved by the stronger portion of the Union abstaining from encroaching on the weaker,—or if it should not, by the weaker States placing themselves on their reserved rights, and repelling the encroachments. Such are the impressions under which I now act, and have ever acted, in resisting aggressions on the rights of the South. I aim not at change or revolution. My object is to preserve. I am thoroughly conservative in my politics. I wish to

maintain things as I found them established. I am satisfied with them, and am of the opinion that they cannot be changed for the better. I hold it to be difficult to get a good government, and still more difficult to preserve it; and as I believe a good government to be the greatest of earthly blessings, I would be adverse to the overthrow of ours, even if I thought it greatly inferior to what I do, in the hope of establishing a better.

Thus thinking, my sincere desire is to preserve the Union; and let what will come, I shall take care that my course shall be such as to free me from all responsibility should it be destroyed. I shall place myself immovably where duty commands—on the defensive—against aggressions, and injustice, and encroachments, and in support of right, justice, and the constitution—be the consequences what they may. If the result should be severance of the Union, and the overthrow of our system of Government, the responsibility will fall, not on the assailed, but the assailants—not on those whose aim is to defend rights, but those whose aim is to violate them—not on those who struggle to maintain the constitution, but those who struggle to invade it. It is not for us who are assailed, but for those who assail us, to count the value of the Union. To us, without the observance of the guaranties of the constitution, the Union would be a curse instead of a blessing,—a sword to assault, and not a shield to defend. It is for our assailants to count whether the Union, with the observance of its guaranties on their part, is of sufficient value to them to be preserved or not. If, in their estimate, it would be so small as to put its safety at stake, rather than be restricted to the observance of its guaranties, how could they expect us to cease resistance to their aggressions, when the Union, if they should succeed, would be to us the greatest of curses, instead of being one of the greatest blessings, as it would be with strict adherence to the constitution?

But great as its blessings would be to us, in that case, it would be in every view far more so still to the North. It would even be more necessary to their safety than to ours. The very institution, which is the object of their incessant denunciation and assaults, would be the palladium of our safety. The danger to which it is exposed, and the necessity of defending it for the common safety of the whole South, would constitute a central point of interest, that would unite us with links of iron within, which no force could dissever; while it would present without, an unbroken and impenetrable front. It would do more. From the conservative character of the institution, it would prevent that conflict between labor and capital, which must ever exist in populous and crowded communities, where wages are the regulator between them,—and thereby secure and preserve with us a settled and quiet condition of things within, which can never be experienced in such communities. The North, on the contrary, would have no central point of union, to bind its various and conflicting interests together; and would, with the increase of its population and wealth, be subject to all the agitation and conflicts growing out of the divisions of wealth and poverty, and their concomitants, capital and labor, of which already there are so many and so serious.

But it is not in reference to safety only, that we would be the least sufferers. We would be far less so in a pecuniary point of view. Indeed, in that respect we would be great gainers, instead of being losers. The first effect would be to establish direct trade between us and the rest of the world. Our imports, in consequence, would at once rise from their present depression to be equal in value to our exports,—in conformity to the established principle, that imports and exports of a country must, in a series of years, balance each other, or nearly so, when fairly valued. On the same principle, their imports would fall off and sink to the level of their exports. The consequence would be that,

with the same rates of duties, our revenue from imports would more than double theirs; and, what is of great importance, all of its proceeds would be expended among ourselves, instead of the far greater part being expended, as it is, at the North, to the great increase of their wealth and diminution of ours. With this great increase of imports, and of revenue, and expenditure with us, and falling off with them, there would be with us a corresponding increase of commerce, navigation, ship-building, tonnage, seamen, and general prosperity and increase of wealth, and a corresponding falling off with the North!

Nor would we be less capable of defending and protecting ourselves than they. We would have the advantages of closer unity—a greater exemption from agitation and discord within, with a much greater revenue from imports. These are great and commanding advantages, in estimating the relative strength of communities. Nor would we be weakened, as it is generally supposed, by the possession of slaves. The most powerful people that ever existed, in proportion to numbers—the Romans—were far greater slaveholders than we are, while slavery exists with us in a form much less calculated to weaken, and more calculated to strengthen, than with them. That our people possess equal courage, skill, and capacity to endure the fatigues and exposure of military life, the recent war with Mexico abundantly proves. They have, at least, equalled in all these respects troops from the North.

But notwithstanding we have so much less to fear from disunion, we are profoundly anxious to preserve the Union, if it can be done consistently with our liberty and safety. It is for you to say by your acts, whether it can be preserved on these conditions or not. I say by your acts; for we have been too often deceived to rely on promises or pledges. The only proof we can accept, is for you to desist from your agitation and assaults on our rights, and to respect the compro-

mises of the constitution. Until this is done, there can be no security for either our liberty or safety in the Union; and until we are secure in them, we are bound by the highest obligation of duty to ourselves and our posterity, to continue our resistance to your assaults, and to adopt whatever measures may be necessary to make it successful.

REMARKS

On the Proposition to establish Territorial Governments in New Mexico and California, made in the Senate, February 24th, 1849.

[The debate in relation to territorial governments, involving questions of great magnitude, as to the powers of the Federal Government—especially in their bearing on the subject of slavery—arose in the Senate on an amendment proposed to the Civil and Diplomatic Appropriation Bill, and continued, with much animation, for several weeks. During the discussion, Mr. Dayton of New Jersey, Mr. Hale of New Hampshire, and Mr. Webster of Massachusetts, maintained that the powers delegated to Congress did not, and were not designed to extend to the territories. In reply to Mr. Webster, Mr. Calhoun said:—]

I rise, not to detain the Senate to any considerable extent, but to make a few remarks upon the proposition first advanced by the Senator from New Jersey—fully indorsed by the Senator from New Hampshire, and partly indorsed by the Senator from Massachusetts,—that the constitution of the United States does not extend to the territories. This is the point. I am very happy, Sir, to hear this proposition thus asserted,—for it will have the effect of narrowing very greatly the controversy between the North and the

ment, as the courts of the United States ought to have, could have pronounced such a monstrous judgment. I am inclined to think that it is an error which has been unjustly attributed to them; but, if they have made such a decision, I, for one, say, that it ought not to be, and never can be respected. The territories belong to us—they are ours—that is to say, they are the property of the thirty States of the Union; and we, as the representatives of those thirty States, have the right to exercise all that authority and jurisdiction which ownership carries with it.

Sir, there are some questions that do not admit of lengthened discussion. This is one of them. The mere statement is sufficient to carry conviction with it; and I am rejoiced to hear gentlemen acknowledge that, if the constitution is there, we are under its shield. The South wants no higher ground to stand upon. The gentlemen have placed us upon high ground by the admission that their only means of putting their claims above ours, is to deny the existence of the constitution in California and New Mexico. The Senator from Massachusetts, I said, in part indorsed the proposition. He qualified it, however, by saying that all the fundamental principles of that instrument must be regarded as having application to the territories. Now, is there a more fundamental principle than that the States, of which this Federal Union is composed, have a community of interest in all that belongs to the Union in its federative character? And that the territory of the United States belongs to the Union in that capacity, is declared by the constitution; and that there shall be, in all respects, perfect equality among all the members of the confederacy. There is no principle more distinctly set forth, than that there shall be no discrimination in favor of one section over another, and that the constitution shall have no half-way operation in regard to one portion of the Union, while it shall have full force and effect in regard to another portion. I will not dwell

South, as it regards the slavery question in connection with the territories. It is an implied admission, on the part of those gentlemen, that, if the constitution does extend to the territories, the South will be protected in the enjoyment of its property—that it will be under the shield of the constitution. You can put no other interpretation upon the proposition which the gentlemen have made,—that the constitution does not extend to the territories.

Then, the simple question is,—Does the constitution extend to the territories, or does it not extend to them? Why, the constitution interprets itself. It pronounces itself to be the supreme law of the land.

[Mr. Webster. What land?]

Mr. Calhoun. The land;—the territories of the United States are a part of the land. It is the supreme law, not within the limits of the States of this Union merely, but wherever our flag waves—wherever our authority goes, the constitution, in part, goes;—not all its provisions certainly, but all its suitable provisions. Why, can we have any authority beyond the constitution? I put the question solemnly to gentlemen: If the constitution does not go there, how are we to have any authority or jurisdiction whatever? Is not Congress the creature of the constitution? Does it not hold its existence upon the tenure of the continuance of the constitution? And would it not be annihilated upon the destruction of that instrument, and the consequent dissolution of this confederacy? And shall we, the creature of the constitution, pretend that we have any authority beyond the reach of the constitution? Sir, we were told, a few days since, that the courts of the United States had decided that the constitution did not extend to the territories without an act of Congress. I confess that I was incredulous, and am still incredulous, that any tribunal, pretending to have a knowledge of our system of govern-

ment, as the courts of the United States ought to have, could have pronounced such a monstrous judgment. I am inclined to think that it is an error which has been unjustly attributed to them; but, if they have made such a decision, I, for one, say, that it ought not to be, and never can be respected. The territories belong to us—they are ours—that is to say, they are the property of the thirty States of the Union; and we, as the representatives of those thirty States, have the right to exercise all that authority and jurisdiction which ownership carries with it.

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upon this. I will only listen, if gentlemen choose to go on, in order to discover by what ingenuity they can make out their case. It is a mere assumption to say that the constitution does not extend to the territories. Let the gentlemen prove their assumption. I hold the course of the whole of this debate to be triumphant to us. We are placed upon higher ground; we have a narrower question to defend; and it will be understood by the community that we are non-suited only by a denial of the existence of the constitution in the territories.

[MR. WEBSTER. The honorable Senator from South Carolina alludes to some decision of the United States courts as affirming that the constitution of the United States does not extend to the territories, and he says that with regard to ——]

MR. CALHOUN. I hope the gentleman will state my position exactly right. I said I was told a few days since that they had so decided, but that I was incredulous of the fact.

[MR. WEBSTER. I can remove the gentleman's incredulity very easily, for I can assure him that the same thing has been decided by the United States courts, over and over again, for the last thirty years.]

MR. CALHOUN. I would be glad to hear the gentleman mention a case in which such a decision was pronounced.

[Mr. Webster here said that, on a few moments consideration, he thought he could state many cases; and expressed great surprise that any one could seriously maintain the position that the constitution could extend to the territories. The existence of territorial governments—the trial by jury within their jurisdiction—the settlement of land titles—the independence of the territorial judiciary, &c., &c., all went to show the reverse. He referred to the English Government, as furnishing an illustration. There, where territory is acquired by conquest or otherwise, the authority of the constitution must be extended over it by act of Parliament. With us, in like cases, there is

no jus colonia; and the constitution must be extended by act of Congress when it assumes the character of a State.]

MR. CALHOUN. I shall be extremely brief in noticing the arguments of the honorable Senator from Massachusetts, and I trust decisive. His first objection is, as I understand it, that I show no authority by which the constitution of the United States is extended to the territories. How does Congress get any power over the territories?

[MR. WEBSTER. It is granted in the constitution in so many words: the power to make laws for the government of the territories.]

MR. CALHOUN. Well, then, the proposition that the constitution does not extend to the territories is false to that extent. How else does Congress obtain the legislative power over the territories? And yet the honorable Senator says I assign no reason for it. I assigned the strongest reason. If the constitution does not extend there, you have no right to legislate or to do any act in reference to the territories.

Well, as to the next point. The honorable Senator states that he was surprised to hear from a strict constructionist the proposition, that the constitution extends itself to the territories. I certainly never contended that the constitution was of itself sufficient for the government of territories without the intervention of legislative enactments. It requires human agency every where; it cannot extend itself within the limits of any State, in the sense in which the gentleman speaks of it. It is, nevertheless, the supreme law, in obedience to which, and in conformity with which, all legislative enactments must be made. And the proposition that the constitution of the United States extends to the territories, as far as it is applicable to them, is so clear a proposition, that even the Senator from Massachusetts, with his profound talent, cannot disprove it. I will put the case of some of the negative provisions of the constitution. Con-

gress can pass no law concerning religion, nor create titles of nobility. Can you grant titles of nobility in California? If not—if all the negative provisions extend to the territories, why not the positive? I do not think it necessary to dwell any longer on this point.

[Here Mr. Webster made some further remarks, to which Mr. Calhoun replied:—]

Mr. President, a few words. *First*, as to the judiciary. If Congress has decided the judiciary of the territories to be part of the judiciary under the United States, Congress has decided wrong. It may be that it is a part of the judiciary of the United States, though I do not think so.

[Mr. Webster (in his seat). Nor I.]

Mr. Calhoun. Again: the honorable gentleman from Massachusetts says that the territories are not a part of the United States. Are not a part of the United States! I had supposed that all the territories were a part of the United States. They are so called.

[Mr. Webster (in his seat). Never.]

Mr. Calhoun. At all events, they belong to the United States.

[Mr. Webster (still in his seat). That is another thing. The colonies of England belong to England, but they are not a part of England.]

Mr. Calhoun. Whatever belongs to the United States, they have authority over; and England has authority over whatever belongs to her. We can have no authority over any thing that does not belong to the United States, I care not in what light it may be placed.

But, Sir, as to the other point raised by the Senator—

internal improvements. The Senator says there is not a member on this side of the Chamber who has not voted to appropriate money out of the public treasury for internal improvements in the territories. I know that a very large portion of the gentlemen on this side have voted to appropriate money out of the public treasury for improvements in territories, upon the principle of ownership; that the land in the territories, in which improvements are made, has an increased value in proportion to the sums appropriated; and the appropriations have, in every case, been given in the form of alternate sections. But many gentlemen here have even utterly denied our right to make them under that form. But that question comes under another category altogether. It comes under the category, whether we have a right to appropriate funds out of the common treasury at all for internal improvements.

Sir, I repeat it, that the proposition that the constitution of the United States extends to the territories, is so plain a one, and its opposite—I say it with all respect—is so absurd a one, that the strongest intellect cannot maintain it. And I repeat, that the gentlemen acknowledge, by implication,—if not more than that,—that the extension of the constitution of the United States to the territories would be a shield to the South upon the question in controversy between us and them. I hold it to be a most important concession. It narrows the ground of controversy between us. We then cannot be deprived of our equal participation in those territories without being deprived of the advantages and rights which the constitution gives us.

SPEECH

On the Slavery Question, delivered in the Senate, March 4th, 1850.

I HAVE, Senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion. Entertaining this opinion, I have, on all proper occasions, endeavored to call the attention of both the two great parties which divide the country to adopt some measure to prevent so great a disaster, but without success. The agitation has been permitted to proceed, with almost no attempt to resist it, until it has reached a point when it can no longer be disguised or denied that the Union is in danger. You have thus had forced upon you the greatest and the gravest question that can ever come under your consideration—How can the Union be preserved?

To give a satisfactory answer to this mighty question, it is indispensable to have an accurate and thorough knowledge of the nature and the character of the cause by which the Union is endangered. Without such knowledge it is impossible to pronounce, with any certainty, by what measure it can be saved; just as it would be impossible for a physician to pronounce, in the case of some dangerous disease, with any certainty, by what remedy the patient could be saved, without similar knowledge of the nature and character of the cause which produced it. The first question, then, presented for consideration, in the investigation I propose to make, in order to obtain such knowledge, is—What is it that has endangered the Union?

To this question there can be but one answer,—that the immediate cause is the almost universal discontent which pervades all the States composing the Southern section of

the Union. This widely-extended discontent is not of recent origin. It commenced with the agitation of the slavery question, and has been increasing ever since. The next question, going one step further back, is—What has caused this widely diffused and almost universal discontent?

It is a great mistake to suppose, as is by some, that it originated with demagogues, who excited the discontent with the intention of aiding their personal advancement, or with the disappointed ambition of certain politicians, who resorted to it as the means of retrieving their fortunes. On the contrary, all the great political influences of the section were arrayed against excitement, and exerted to the utmost to keep the people quiet. The great mass of the people of the South were divided, as in the other section, into Whigs and Democrats. The leaders and the presses of both parties in the South were very solicitous to prevent excitement and to preserve quiet; because it was seen that the effects of the former would necessarily tend to weaken, if not destroy, the political ties which united them with their respective parties in the other section. Those who know the strength of party ties will readily appreciate the immense force which this cause exerted against agitation, and in favor of preserving quiet. But, great as it was, it was not sufficient to prevent the wide-spread discontent which now pervades the section. No; some cause, far deeper and more powerful than the one supposed, must exist, to account for discontent so wide and deep. The question then recurs—What is the cause of this discontent? It will be found in the belief of the people of the Southern States, as prevalent as the discontent itself, that they cannot remain, as things now are, consistently with honor and safety, in the Union. The next question to be considered is—What has caused this [redacted]?

One of the causes is, undoubtedly, [redacted]raced to the long-continued agitation of the slave qu[redacted]on on the part of the North, and the many aggressions which they have

was too small to affect sensibly the perfect equilibrium which, with that exception, existed at the time. Such was the equality of the two sections when the States composing them agreed to enter into a Federal Union. Since then the equilibrium between them has been greatly disturbed.

According to the last census the aggregate population of the United States amounted to 17,063,357, of which the Northern section contained 9,728,920, and the Southern 7,334,437, making a difference, in round numbers, of 2,400,000. The number of States had increased from sixteen to twenty-six, making an addition of ten States. In the mean time the position of Delaware had become doubtful as to which section she properly belonged. Considering her as neutral, the Northern States will have thirteen and the Southern States twelve, making a difference in the Senate of two Senators in favor of the former. According to the apportionment under the census of 1840, there were two hundred and twenty-three members of the House of Representatives, of which the Northern States had one hundred and thirty-five, and the Southern States (considering Delaware as neutral) eighty-seven, making a difference in favor of the former in the House of Representatives of forty-eight. The difference in the Senate of two members, added to this, gives to the North, in the electoral college, a majority of fifty. Since the census of 1840, four States have been added to the Union—Iowa, Wisconsin, Florida, and Texas. They leave the difference in the Senate as it stood when the census was taken; but add two to the side of the North in the House, making the present majority in the House in its favor fifty, and in the electoral college fifty-two.

The result of the whole is to give the Northern section a predominance in every department of the Government, and thereby concentrate in it the two elements which constitute the Federal Government,—majority of States, and a majority of their population, estimated in federal numbers.

made on the rights of the South during the time. I will not enumerate them at present, as it will be done hereafter in its proper place.

There is another lying back of it—with which this is intimately connected—that may be regarded as the great and primary cause. This is to be found in the fact that the equilibrium between the two sections, in the Government as it stood when the constitution was ratified and the Government put in action, has been destroyed. At that time there was nearly a perfect equilibrium between the two, which afforded ample means to each to protect itself against the aggression of the other; but, as it now stands, one section has the exclusive power of controlling the Government, which leaves the other without any adequate means of protecting itself against its encroachment and oppression. To place this subject distinctly before you, I have, Senators, prepared a brief statistical statement, showing the relative weight of the two sections in the Government under the first census of 1790 and the last census of 1840.

According to the former, the population of the United States, including Vermont, Kentucky, and Tennessee, which then were in their incipient condition of becoming States, but were not actually admitted, amounted to 3,929,827. Of this number the Northern States had 1,997,899, and the Southern 1,952,072, making a difference of only 45,827 in favor of the former States. The number of States, including Vermont, Kentucky, and Tennessee, were sixteen; of which eight, including Vermont, belonged to the Northern section, and eight, including Kentucky and Tennessee, to the Southern,—making an equal division of the States between the two sections under the first census. There was a small preponderanc[redacted]he House of Representatives, and in the Electoral Co[redacted]n favor of the Northern, owing to the fact that, accordi[redacted]the provisions of the constitution, in estimating federal numbers five slaves count but three; but it

was too small to affect sensibly the perfect equilibrium which, with that exception, existed at the time. Such was the equality of the two sections when the States composing them agreed to enter into a Federal Union. Since then the equilibrium between them has been greatly disturbed.

According to the last census the aggregate population of the United States amounted to 17,063,357, of which the Northern section contained 9,728,920, and the Southern 7,334,437, making a difference, in round numbers, of 2,400,000. The number of States had increased from sixteen to twenty-six, making an addition of ten States. In the mean time the position of Delaware had become doubtful as to which section she properly belonged. Considering her as neutral, the Northern States will have thirteen and the Southern States twelve, making a difference in the Senate of two Senators in favor of the former. According to the apportionment under the census of 1840, there were two hundred and twenty-three members of the House of Representatives, of which the Northern States had one hundred and thirty-five, and the Southern States (considering Delaware as neutral) eighty-seven, making a difference in favor of the former in the House of Representatives of forty-eight. The difference in the Senate of two members, added to this, gives to the North, in the electoral college, a majority of fifty. Since the census of 1840, four States have been added to the Union—Iowa, Wisconsin, Florida, and Texas. They leave the difference in the Senate as it stood when the census was taken; but add two to the side of the North in the House, making the present majority in the House in its favor fifty, and in the electoral college fifty-two.

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Whatever section concentrates the two in itself possesses the control of the entire Government.

But we are just at the close of the sixth decade, and the commencement of the seventh. The census is to be taken this year, which must add greatly to the decided preponderance of the North in the House of Representatives and in the electoral college. The prospect is, also, that a great increase will be added to its present preponderance in the Senate, during the period of the decade, by the addition of new States. Two territories, Oregon and Minnesota, are already in progress, and strenuous efforts are making to bring in three additional States from the territory recently conquered from Mexico; which, if successful, will add three other States in a short time to the Northern section, making five States; and increasing the present number of its States from fifteen to twenty, and of its Senators from thirty to forty. On the contrary, there is not a single territory in progress in the Southern section, and no certainty that any additional State will be added to it during the decade. The prospect then is, that the two sections in the Senate, should the efforts now made to exclude the South from the newly acquired territories succeed, will stand, before the end of the decade, twenty Northern States to fourteen Southern (considering Delaware as neutral), and forty Northern Senators to twenty-eight Southern. This great increase of Senators, added to the great increase of members of the House of Representatives and the electoral college on the part of the North, which must take place under the next decade, will effectually and irretrievably destroy the equilibrium which existed when the Government commenced.

Had this destruction been the operation of time, without the interference of Government, the South would have had no reason to complain; but such was not the fact. It was caused by the legislation of this Government, which was appointed, as the common agent of all, and charged with the

protection of the interests and security of all. The legislation by which it has been effected, may be classed under three heads. The first is, that series of acts by which the South has been excluded from the common territory belonging to all the States as members of the Federal Union—which have had the effect of extending vastly the portion allotted to the Northern section, and restricting within narrow limits the portion left the South. The next consists in adopting a system of revenue and disbursements, by which an undue proportion of the burden of taxation has been imposed upon the South, and an undue proportion of its proceeds appropriated to the North; and the last is a system of political measures, by which the original character of the Government has been radically changed. I propose to bestow upon each of these, in the order they stand, a few remarks, with the view of showing that it is owing to the action of this Government, that the equilibrum between the two sections has been destroyed, and the whole powers of the system centered in a sectional majority.

The first of the series of acts by which the South was deprived of its due share of the territories, originated with the confederacy which preceded the existence of this Government. It is to be found in the provision of the ordinance of 1787. Its effect was to exclude the South entirely from that vast and fertile region which lies between the Ohio and the Mississippi rivers, now embracing five States and one territory. The next of the series is the Missouri compromise, which excluded the South from that large portion of Louisiana which lies north of 36° 30′, excepting what is included in the State of Missouri. The last of the series excluded the South from the whole of the Oregon Territory. All these, in the slang of the day, were what are called slave territories, and not free soil; that is, territories belonging to slaveholding powers and open to the emigration of masters with their slaves. By these several acts, the South

was excluded from 1,238,025 square miles—an extent of country considerably exceeding the entire valley of the Mississippi. To the South was left the portion of the Territory of Louisiana lying south of 36° 30′, and the portion north of it included in the State of Missouri, with the portion lying south of 36° 30′, including the States of Louisiana and Arkansas, and the territory lying west of the latter, and south of 36° 30′, called the Indian country. These, with the Territory of Florida, now the State, make, in the whole, 283,503 square miles. To this must be added the territory acquired with Texas. If the whole should be added to the Southern section, it would make an increase of 325,520, which would make the whole left to the South, 609,023. But a large part of Texas is still in contest between the two sections, which leaves it uncertain what will be the real extent of the portion of territory that may be left to the South.

I have not included the territory recently acquired by the treaty with Mexico. The North is making the most strenuous efforts to appropriate the whole to herself, by excluding the South from every foot of it. If she should succeed, it will add to that from which the South has already been excluded, 526,078 square miles, and would increase the whole which the North has appropriated to herself, to 1,764,023, not including the portion that she may succeed in excluding us from in Texas. To sum up the whole, the United States, since they declared their independence, have acquired 2,373,046 square miles of territory, from which the North will have excluded the South, if she should succeed in monopolizing the newly acquired territories, about three-fourths of the whole, leaving to the South but about one-fourth.

Such is the first and great cause that has destroyed the equilibrium between the two sections in the Government.

The next is the system of revenue and disbursements

which has been adopted by the Government. It is well known that the Government has derived its revenue mainly from duties on imports. I shall not undertake to show that such duties must necessarily fall mainly on the exporting States, and that the South, as the great exporting portion of the Union, has in reality paid vastly more than her due proportion of the revenue; because I deem it unnecessary, as the subject has on so many occasions been fully discussed. Nor shall I, for the same reason, undertake to show that a far greater portion of the revenue has been disbursed at the North, than its due share; and that the joint effect of these causes has been, to transfer a vast amount from South to North, which, under an equal system of revenue and disbursements, would not have been lost to her. If to this be added, that many of the duties were imposed, not for revenue, but for protection,—that is, intended to put money, not in the treasury, but directly into the pocket of the manufacturers,—some conception may be formed of the immense amount which, in the long course of sixty years, has been transferred from South to North. There are no data by which it can be estimated with any certainty; but it is safe to say, that it amounts to hundreds of millions of dollars. Under the most moderate estimate, it would be sufficient to add greatly to the wealth of the North, and thus greatly increase her population by attracting emigration from all quarters to that section.

This, combined with the great primary cause, amply explains why the North has acquired a preponderance in every department of the Government by its disproportionate increase of population and States. The former, as has been shown, has increased, in fifty years, 2,400,000 over that of the South. This increase of population, during so long a period, is satisfactorily accounted for, by the number of emigrants, and the increase of their descendants, which have been attracted to the Northern section from Europe and the

South, in consequence of the advantages derived from the causes assigned. If they had not existed—if the South had retained all the capital which has been extracted from her by the fiscal action of the Government; and, if it had not been excluded by the ordinance of 1787 and the Missouri compromise, from the region lying between the Ohio and the Mississippi rivers, and between the Mississippi and the Rocky Mountains north of 36° 30′—it scarcely admits of a doubt, that it would have divided the emigration with the North, and by retaining her own people, would have at least equalled the North in population under the census of 1840, and probably under that about to be taken. She would also, if she had retained her equal rights in those territories, have maintained an equality in the number of States with the North, and have preserved the equilibrium between the two sections that existed at the commencement of the Government. The loss, then, of the equilibrium is to be attributed to the action of this Government.

But while these measures were destroying the equilibrium between the two sections, the action of the Government was leading to a radical change in its character, by concentrating all the power of the system in itself. The occasion will not permit me to trace the measures by which this great change has been consummated. If it did, it would not be difficult to show that the process commenced at an early period of the Government; and that it proceeded, almost without interruption, step by step, until it absorbed virtually its entire powers; but without going through the whole process to establish the fact, it may be done satisfactorily by a very short statement.

That the Government claims, and practically maintains the right to decide in the last resort, as to the extent of its powers, will scarcely be denied by any one conversant with the political history of the country. That it also claims the right to resort to force to maintain whatever power it claims,

against all opposition, is equally certain. Indeed it is apparent, from what we daily hear, that this has become the prevailing and fixed opinion of a great majority of the community. Now, I ask, what limitation can possibly be placed upon the powers of a government claiming and exercising such rights? And, if none can be, how can the separate governments of the States maintain and protect the powers reserved to them by the constitution—or the people of the several States maintain those which are reserved to them, and among others, the sovereign powers by which they ordained and established, not only their separate State Constitutions and Governments, but also the Constitution and Government of the United States? But, if they have no constitutional means of maintaining them against the right claimed by this Government, it necessarily follows, that they hold them at its pleasure and discretion, and that all the powers of the system are in reality concentrated in it. It also follows, that the character of the Government has been changed in consequence, from a federal republic, as it originally came from the hands of its framers, into a great national consolidated democracy. It has indeed, at present, all the characteristics of the latter, and not one of the former, although it still retains its outward form.

The result of the whole of these causes combined is—that the North has acquired a decided ascendency over every department of this Government, and through it a control over all the powers of the system. A single section governed by the will of the numerical majority, has now, in fact, the control of the Government and the entire powers of the system. What was once a constitutional federal republic, is now converted, in reality, into one as absolute as that of the Autocrat of Russia, and as despotic in its tendency as any absolute government that ever existed.

As, then, the North has the absolute control over the Government, it is manifest, that on all questions between it

and the South, where there is a diversity of interests, the interest of the latter will be sacrificed to the former, however oppressive the effects may be; as the South possesses no means by which it can resist, through the action of the Government. But if there was no question of vital importance to the South, in reference to which there was a diversity of views between the two sections, this state of things might be endured, without the hazard of destruction to the South. But such is not the fact. There is a question of vital importance to the Southern section, in reference to which the views and feelings of the two sections are as opposite and hostile as they can possibly be.

I refer to the relation between the two races in the Southern section, which constitutes a vital portion of her social organization. Every portion of the North entertains views and feelings more or less hostile to it. Those most opposed and hostile, regard it as a sin, and consider themselves under the most sacred obligation to use every effort to destroy it. Indeed, to the extent that they conceive they have power, they regard themselves as implicated in the sin, and responsible for not suppressing it by the use of all and every means. Those less opposed and hostile, regard it as a crime—an offence against humanity, as they call it; and, although not so fanatical, feel themselves bound to use all efforts to effect the same object; while those who are least opposed and hostile, regard it as a blot and a stain on the character of what they call the Nation, and feel themselves accordingly bound to give it no countenance or support. On the contrary, the Southern section regards the relation as one which cannot be destroyed without subjecting the two races to the greatest calamity, and the section to poverty, desolation, and wretchedness; and accordingly they feel bound, by every consideration of interest and safety, to defend it.

This hostile feeling on the part of the North towards the

social organization of the South long lay dormant, but it only required some cause to act on those who felt most intensely that they were responsible for its continuance, to call it into action. The increasing power of this Government, and of the control of the Northern section over all its departments, furnished the cause. It was this which made an impression on the minds of many, that there was little or no restraint to prevent the Government from doing whatever it might choose to do. This was sufficient of itself to put the most fanatical portion of the North in action, for the purpose of destroying the existing relation between the two races in the South.

The first organized movement towards it commenced in 1835. Then, for the first time, societies were organized, presses established, lecturers sent forth to excite the people of the North, and incendiary publications scattered over the whole South, through the mail. The South was thoroughly aroused. Meetings were held every where, and resolutions adopted, calling upon the North to apply a remedy to arrest the threatened evil, and pledging themselves to adopt measures for their own protection, if it was not arrested. At the meeting of Congress, petitions poured in from the North, calling upon Congress to abolish slavery in the District of Columbia, and to prohibit, what they called, the internal slave trade between the States—announcing at the same time, that their ultimate object was to abolish slavery, not only in the District, but in the States and throughout the Union. At this period, the number engaged in the agitation was small, and possessed little or no personal influence.

Neither party in Congress had, at that time, any sympathy with them or their cause. The members of each party presented their petitions with great reluctance. Nevertheless, small and contemptible as the party then was, both of the great parties of the North dreaded them. They felt,

that though small, they were organized in reference to a subject which had a great and a commanding influence over the Northern mind. Each party, on that account, feared to oppose their petitions, lest the opposite party should take advantage of the one who might do so, by favoring them. The effect was, that both united in insisting that the petitions should be received, and that Congress should take jurisdiction over the subject. To justify their course, they took the extraordinary ground, that Congress was bound to receive petitions on every subject, however objectionable they might be, and whether they had, or had not, jurisdiction over the subject. These views prevailed in the House of Representatives, and partially in the Senate; and thus the party succeeded in their first movements, in gaining what they proposed—a position in Congress, from which agitation could be extended over the whole Union. This was the commencement of the agitation, which has ever since continued, and which, as is now acknowledged, has endangered the Union itself.

As for myself, I believed at that early period, if the party who got up the petitions should succeed in getting Congress to take jurisdiction, that agitation would follow, and that it would in the end, if not arrested, destroy the Union. I then so expressed myself in debate, and called upon both parties to take grounds against assuming jurisdiction; but in vain. Had my voice been heeded, and had Congress refused to take jurisdiction, by the united votes of all parties, the agitation which followed would have been prevented, and the fanatical zeal that gives impulse to the agitation, and which has brought us to our present perilous condition, would have become extinguished, from the want of fuel to feed the flame. *That* was the time for the North to have shown her devotion to the Union; but, unfortunately, both of the great parties of that section were so

intent on obtaining or retaining party ascendency, that all other considerations were overlooked or forgotten.

What has since followed are but natural consequences. With the success of their first movement, this small fanatical party began to acquire strength; and with that, to become an object of courtship to both the great parties. The necessary consequence was, a further increase of power, and a gradual tainting of the opinions of both of the other parties with their doctrines, until the infection has extended over both; and the great mass of the population of the North, who, whatever may be their opinion of the original abolition party, which still preserves its distinctive organization, hardly ever fail, when it comes to acting, to co-operate in carrying out their measures. With the increase of their influence, they extended the sphere of their action. In a short time after the commencement of their first movement, they had acquired sufficient influence to induce the legislatures of most of the Northern States to pass acts, which in effect abrogated the clause of the constitution that provides for the delivery up of fugitive slaves. Not long after, petitions followed to abolish slavery in forts, magazines, and dock-yards, and all other places where Congress had exclusive power of legislation. This was followed by petitions and resolutions of legislatures of the Northern States, and popular meetings, to exclude the Southern States from all territories acquired, or to be acquired, and to prevent the admission of any State hereafter into the Union, which, by its constitution, does not prohibit slavery. And Congress is invoked to do all this, expressly with the view to the final abolition of slavery in the States. That has been avowed to be the ultimate object from the beginning of the agitation until the present time; and yet the great body of both parties of the North, with the full knowledge of the fact, although disavowing the abolitionists, have co-operated with them in almost all their measures.

Such is a brief history of the agitation, as far as it has yet advanced. Now I ask, Senators, what is there to prevent its further progress, until it fulfils the ultimate end proposed, unless some decisive measure should be adopted to prevent it? Has any one of the causes, which has added to its increase from its original small and contemptible beginning until it has attained its present magnitude, diminished in force? Is the original cause of the movement—that slavery is a sin, and ought to be suppressed—weaker now than at the commencement? Or is the abolition party less numerous or influential, or have they less influence with, or control over the two great parties of the North in elections? Or has the South greater means of influencing or controlling the movements of this Government now, than it had when the agitation commenced? To all these questions but one answer can be given: No—no—no. The very reverse is true. Instead of being weaker, all the elements in favor of agitation are stronger now than they were in 1835, when it first commenced, while all the elements of influence on the part of the South are weaker. Unless something decisive is done, I again ask, what is to stop this agitation, before the great and final object at which it aims—the abolition of slavery in the States—is consummated? Is it, then, not certain, that if something is not done to arrest it, the South will be forced to choose between abolition and secession? Indeed, as events are now moving, it will not require the South to secede, in order to dissolve the Union. Agitation will of itself effect it, of which its past history furnishes abundant proof—as I shall next proceed to show.

It is a great mistake to suppose that disunion can be effected by a single blow. The cords which bound these States together in one common Union, are far too numerous and powerful for that. Disunion must be the work of time. It is only through a long process, and successively, that the cords can be snapped, until the whole fabric falls asunder.

Already the agitation of the slavery question has snapped some of the most important, and has greatly weakened all the others, as I shall proceed to show.

The cords that bind the States together are not only many, but various in character. Some are spiritual or ecclesiastical; some political; others social. Some appertain to the benefit conferred by the Union, and others to the feeling of duty and obligation.

The strongest of those of a spiritual and ecclesiastical nature, consisted in the unity of the great religious denominations, all of which originally embraced the whole Union. All these denominations, with the exception, perhaps, of the Catholics, were organized very much upon the principle of our political institutions. Beginning with smaller meetings, corresponding with the political divisions of the country, their organization terminated in one great central assemblage, corresponding very much with the character of Congress. At these meetings the principal clergymen and lay members of the respective denominations, from all parts of the Union, met to transact business relating to their common concerns. It was not confined to what appertained to the doctrines and discipline of the respective denominations, but extended to plans for disseminating the Bible—establishing missions, distributing tracts—and of establishing presses for the publication of tracts, newspapers, and periodicals, with a view of diffusing religious information—and for the support of their respective doctrines and creeds. All this combined contributed greatly to strengthen the bonds of the Union. The ties which held each denomination together formed a strong cord to hold the whole Union together; but, powerful as they were, they have not been able to resist the explosive effect of slavery agitation.

The first of these cords which snapped, under its explosive force, was that of the powerful Methodist Episcopal Church. The numerous and strong ties which held it to-

gether, are all broken, and its unity gone. They now form separate churches; and, instead of that feeling of attachment and devotion to the interests of the whole church which was formerly felt, they are now arrayed into two hostile bodies, engaged in litigation about what was formerly their common property.

The next cord that snapped was that of the Baptists—one of the largest and most respectable of the denominations. That of the Presbyterian is not entirely snapped, but some of its strands have given way. That of the Episcopal Church is the only one of the four great Protestant denominations which remains unbroken and entire.

The strongest cord, of a political character, consists of the many and powerful ties that have held together the two great parties which have, with some modifications, existed from the beginning of the Government. They both extended to every portion of the Union, and strongly contributed to hold all its parts together. But this powerful cord has fared no better than the spiritual. It resisted, for a long time, the explosive tendency of the agitation, but has finally snapped under its force—if not entirely, in a great measure. Nor is there one of the remaining cords which has not been greatly weakened. To this extent the Union has already been destroyed by agitation, in the only way it can be, by sundering and weakening the cords which bind it together.

If the agitation goes on, the same force, acting with increased intensity, as has been shown, will finally snap every cord, when nothing will be left to hold the States together except force. But, surely, that can, with no propriety of language, be called a Union, when the only means by which the weaker is held connected with the stronger portion is *force*. It may, indeed, keep them connected; but the connection will partake much more of the character of subjugation, on the part of the weaker to the stronger, than the

union of free, independent, and sovereign States, in one confederation, as they stood in the early stages of the Government, and which only is worthy of the sacred name of Union.

Having now, Senators, explained what it is that endangers the Union, and traced it to its cause, and explained its nature and character, the question again recurs—How can the Union be saved? To this I answer, there is but one way by which it can be—and that is—by adopting such measures as will satisfy the States belonging to the Southern section, that they can remain in the Union consistently with their honor and their safety. There is, again, only one way by which this can be effected, and that is—by removing the causes by which this belief has been produced. Do *this*, and discontent will cease—harmony and kind feelings between the sections be restored—and every apprehension of danger to the Union removed. The question, then, is—How can this be done? But, before I undertake to answer this question, I propose to show by what the Union cannot be saved.

It cannot, then, be saved by eulogies on the Union, however splendid or numerous. The cry of "Union, Union—the glorious Union!" can no more prevent disunion than the cry of "Health, health—glorious health!" on the part of the physician, can save a patient lying dangerously ill. So long as the Union, instead of being regarded as a protector, is regarded in the opposite character, by not much less than a majority of the States, it will be in vain to attempt to conciliate them by pronouncing eulogies on it.

Besides this cry of Union comes commonly from those whom we cannot believe to be sincere. It usually comes from our assailants. But we cannot believe them to be sincere; for, if they loved the Union, they would necessarily be devoted to the constitution. It made the Union,—and to destroy the constitution would be to destroy the Union. But

the only reliable and certain evidence of devotion to the constitution is, to abstain, on the one hand, from violating it, and to repel, on the other, all attempts to violate it. It is only by faithfully performing these high duties that the constitution can be preserved, and with it the Union.

But how stands the profession of devotion to the Union by our assailants, when brought to this test? Have they abstained from violating the constitution? Let the many acts passed by the Northern States to set aside and annul the clause of the constitution providing for the delivery up of fugitive slaves answer. I cite this, not that it is the only instance (for there are many others), but because the violation in this particular is too notorious and palpable to be denied. Again: have they stood forth faithfully to repel violations of the constitution? Let their course in reference to the agitation of the slavery question, which was commenced and has been carried on for fifteen years, avowedly for the purpose of abolishing slavery in the States—an object all acknowledged to be unconstitutional—answer. Let them show a single instance, during this long period, in which they have denounced the agitators or their attempts to effect what is admitted to be unconstitutional, or a single measure which they have brought forward for that purpose. How can we, with all these facts before us, believe that they are sincere in their profession of devotion to the Union, or avoid believing their profession is but intended to increase the vigor of their assaults and to weaken the force of our resistance?

Nor can we regard the profession of devotion to the Union, on the part of those who are not our assailants, as sincere, when they pronounce eulogies upon the Union, evidently with the intent of charging us with disunion, without uttering one word of denunciation against our assailants. If friends of the Union, their course should be to unite with us in repelling these assaults, and denouncing the authors as

enemies of the Union. Why they avoid this, and pursue the course they do, it is for them to explain.

Nor can the Union be saved by invoking the name of the illustrious Southerner whose mortal remains repose on the western bank of the Potomac. He was one of us—a slaveholder and a planter. We have studied his history, and find nothing in it to justify submission to wrong. On the contrary, his great fame rests on the solid foundation, that, while he was careful to avoid doing wrong to others, he was prompt and decided in repelling wrong. I trust that, in this respect, we profited by his example.

Nor can we find any thing in his history to deter us from seceding from the Union, should it fail to fulfil the objects for which it was instituted, by being permanently and hopelessly converted into the means of oppressing instead of protecting us. On the contrary, we find much in his example to encourage us, should we be forced to the extremity of deciding between submission and disunion.

There existed then, as well as now, a union—that between the parent country and her then colonies. It was a union that had much to endear it to the people of the colonies.—Under its protecting and superintending care, the colonies were planted and grew up and prospered, through a long course of years, until they became populous and wealthy. Its benefits were not limited to them. Their extensive agricultural and other productions, gave birth to a flourishing commerce, which richly rewarded the parent country for the trouble and expense of establishing and protecting them. Washington was born and grew up to manhood under that union. He acquired his early distinction in its service, and there is every reason to believe that he was devotedly attached to it. But his devotion was a rational one. He was attached to it, not as an end, but as a means to an end. When it failed to fulfil its end, and, instead of affording protection, was converted into the means of oppressing the col-

onies, he did not hesitate to draw his sword, and head the great movement by which that union was for ever severed, and the independence of these States established. This was the great and crowning glory of his life, which has spread his fame over the whole globe, and will transmit it to the latest posterity.

Nor can the plan proposed by the distinguished Senator from Kentucky, nor that of the administration save the Union. I shall pass by, without remark, the plan proposed by the Senator, and proceed directly to the consideration of that of the administration. I however assure the distinguished and able Senator, that, in taking this course, no disrespect whatever is intended to him or his plan. I have adopted it, because so many Senators of distinguished abilities, who were present when he delivered his speech, and explained his plan, and who were fully capable to do justice to the side they support, have replied to him.

The plan of the administration cannot save the Union, because it can have no effect whatever, towards satisfying the States composing the southern section of the Union, that they can, consistently with safety and honor, remain in the Union. It is, in fact, but a modification of the Wilmot Proviso. It proposes to effect the same object,—to exclude the South from all territory acquired by the Mexican treaty. It is well known that the South is united against the Wilmot Proviso, and has committed itself by solemn resolutions, to resist, should it be adopted. Its opposition *is not to the name*, but that which it *proposes to effect*. That, the Southern States hold to be unconstitutional, unjust, inconsistent with their equality as members of the common Union, and calculated to destroy irretrievably the equilibrium between the two sections. These objections equally apply to what, for brevity, I will call the Executive Proviso. There is no difference between it and the Wilmot, except in the mode of effecting the object; and in that respect, I must say, that the

latter is much the least objectionable. It goes to its object openly, boldly, and distinctly. It claims for Congress unlimited power over the territories, and proposes to assert it over the territories acquired from Mexico, by a positive prohibition of slavery. Not so the Executive Proviso. It takes an indirect course, and in order to elude the Wilmot Proviso, and thereby avoid encountering the united and determined resistance of the South, it denies, by implication, the authority of Congress to legislate for the territories, and claims the right as belonging exclusively to the inhabitants of the territories. But to effect the object of excluding the South, it takes care, in the mean time, to let in emigrants freely from the Northern States and all other quarters, except from the South, which it takes special care to exclude by holding up to them the danger of having their slaves liberated under the Mexican laws. The necessary consequence is to exclude the South from the territory, just as effectually as would the Wilmot Proviso. The only difference in this respect is, that what one proposes to effect directly and openly, the other proposes to effect indirectly and covertly.

But the Executive Proviso is more objectionable than the Wilmot, in another and more important particular. The latter, to effect its object, inflicts a dangerous wound upon the constitution, by depriving the Southern States, as joint partners and owners of the territories, of their rights in them; but it inflicts no greater wound than is absolutely necessary to effect its object. The former, on the contrary, while it inflicts the same wound, inflicts others equally great, and, if possible, greater, as I shall next proceed to explain.

In claiming the right for the inhabitants, instead of Congress, to legislate for the territories, the Executive Proviso, assumes that the sovereignty over the territories is vested in the former: or to express it in the language used in a resolution offered by one of the Senators from Texas (General Houston, now absent), they have "the same inherent right

of self-government as the people in the States." The assumption is utterly unfounded, unconstitutional, without example, and contrary to the entire practice of the Government, from its commencement to the present time, as I shall proceed to show.

The recent movement of individuals in California to form a constitution and a State government, and to appoint Senators and Representatives, is the first fruit of this monstrous assumption. If the individuals who made this movement had gone into California as adventurers, and if, as such, they had conquered the territory and established their independence, the sovereignty of the country would have been vested in them, as a separate and independent community. In that case, they would have had the right to form a constitution, and to establish a government for themselves; and if, afterwards, they thought proper to apply to Congress for admission into the Union as a sovereign and independent State, all this would have been regular, and according to established principles. But such is not the case. It was the United States who conquered California and finally acquired it by treaty. The sovereignty, of course, is vested in them, and not in the individuals who have attempted to form a constitution and a State without their consent. All this is clear, beyond controversy unless it can be shown that they have since lost or been divested of their sovereignty.

Nor is it less clear, that the power of legislating over the acquired territory is vested in Congress, and not, as is assumed, in the inhabitants of the territories. None can deny that the Government of the United States has the power to acquire territories, either by war or treaty; but if the power to acquire exists, it belongs to Congress to carry it into execution. On this point there can be no doubt, for the constitution expressly provides, that Congress shall have power "to make all laws which shall be necessary and proper to carry into execution the foregoing powers" (those vested in

Congress), "and all other powers vested by this constitution in *the Government* of the United States, or in *any department* or *officer* thereof." It matters not, then, where the power is vested; for, if vested at all in the Government of the United States, or any of its departments, or officers, the power of carrying it into execution is clearly vested in Congress. But this important provision, while it gives to Congress the power of legislating over territories, imposes important limitations on its exercise, by restricting Congress to passing laws necessary and proper for carrying the power into execution. The prohibition extends, not only to all laws not suitable or appropriate to the object of the power, but also to all that are unjust, unequal, or unfair,—for all such laws would be unnecessary and improper, and, therefore, unconstitutional.

Having now established, beyond controversy, that the sovereignty over the territories is vested in the United States, —that is, in the several States composing the Union,—and that the power of legislating over them is expressly vested in Congress, it follows, that the individuals in California who have undertaken to form a constitution and a State, and to exercise the power of legislating without the consent of Congress, have usurped the sovereignty of the State and the authority of Congress, and have acted in open defiance of both. In other words, what they have done is revolutionary and rebellious in its character, anarchical in its tendency, and calculated to lead to the most dangerous consequences. Had they acted from premeditation and design, it would have been, in fact, actual rebellion; but such is not the case. The blame lies much less upon them than upon those who have induced them to take a course so unconstitutional and dangerous. They have been led into it by language held here, and the course pursued by the Executive branch of the Government.

I have not seen the answer of the Executive to the calls made by the two Houses of Congress for information as to the course which it took, or the part which it acted, in

reference to what was done in California. I understand the answers have not yet been printed. But there is enough known to justify the assertion, that those who profess to represent and act under the authority of the Executive, have advised, aided, and encouraged the movement, which terminated in forming, what they call a constitution and a State. General Riley, who professed to act as civil Governor, called the convention—determined on the number, and distribution of the delegates—appointed the time and place of its meeting—was present during the session—and gave its proceedings his approbation and sanction. If he acted without authority, he ought to have been tried, or at least reprimanded, and his course disavowed. Neither having been done, the presumption is, that his course has been approved. This, of itself, is sufficient to identify the Executive with his acts, and to make it responsible for them. I touch not the question, whether General Riley was appointed, or received the instructions under which he professed to act from the present Executive, or its predecessor. If from the former, it would implicate the preceding, as well as the present administration. If not, the responsibility rests exclusively on the present.

It is manifest from this statement, that the Executive Department has undertaken to perform acts preparatory to the meeting of the individuals to form their so called constitution and government, which appertain exclusively to Congress. Indeed, they are identical, in many respects, with the provisions adopted by Congress, when it gives permission to a territory to form a constitution and government, in order to be admitted as a State into the Union.

Having now shown that the assumption upon which the Executive, and the individuals in California, acted throughout this whole affair, is unfounded, unconstitutional, and dangerous; it remains to make a few remarks, in order to show that what has been done, is contrary to the entire

practice of the Government, from the commencement to the present time.

From its commencement until the time that Michigan was admitted, the practice was uniform. Territorial governments were first organized by Congress. The Government of the United States appointed the governors, judges, secretaries, marshals, and other officers; and the inhabitants of the territory were represented by legislative bodies, whose acts were subject to the revision of Congress. This state of things continued until the government of a territory applied to Congress to permit its inhabitants to form a constitution and government, preparatory to admission into the Union. The act preliminary to giving permission was, to ascertain whether the inhabitants were sufficiently numerous to authorize them to be formed into a State. This was done by taking a census. That being done, and the number proving sufficient, permission was granted. The act granting it, fixed all the preliminaries—the time and place of holding the convention; the qualification of the voters; establishment of its boundaries, and all other measures necessary to be settled previous to admission. The act giving permission necessarily withdraws the sovereignty of the United States, and leaves the inhabitants of the incipient State as free to form their constitution and government as were the original States of the Union after they had declared their independence. At this stage, the inhabitants of the territory became, for the first time, a people, in legal and constitutional language. Prior to this, they were, by the old acts of Congress, called inhabitants, and not people. All this is perfectly consistent with the sovereignty of the United States, with the powers of Congress, and with the right of a people to self-government.

Michigan was the first case in which there was any departure from the uniform rule of acting. Hers was a very slight departure from established usage. The ordinance of

1787 secured to her the right of becoming a State, when she should have 60,000 inhabitants. Owing to some neglect, Congress delayed taking the census. In the mean time her population increased, until it clearly exceeded more than twice the number which entitled her to admission. At this stage, she formed a constitution and government, without a census being taken by the United States, and Congress waived the omission, as there was no doubt she had more than a sufficient number to entitle her to admission. She was not admitted at the first session she applied, owing to some difficulty respecting the boundary between her and Ohio. The great irregularity, as to her admission, took place at the next session—but on a point which can have no possible connection with the case of California.

The irregularities in all other cases that have since occurred, are of a similar nature. In all, there existed territorial governments established by Congress, with officers appointed by the United States. In all, the territorial government took the lead in calling conventions, and fixing the preliminaries preparatory to the formation of a constitution and admission into the Union. They all recognized the sovereignty of the United States, and the authority of Congress over the territories; and wherever there was any departure from established usage, it was done on the presumed consent of Congress, and not in defiance of its authority, or the sovereignty of the United States over the territories. In this respect California stands alone, without usage or a single example to cover her case.

It belongs now, Senators, to you to decide what part you will act in reference to this unprecedented transaction. The Executive has laid the paper purporting to be the Constitution of California before you, and asks you to admit her into the Union as a State; and the question is, will you or will you not admit her? It is a grave question, and there rests upon you a heavy responsibility. Much, very much,

will depend upon your decision. If you admit her, you indorse and give your sanction to all that has been done. Are you prepared to do so? Are you prepared to surrender your power of legislation for the territories—a power expressly vested in Congress by the constitution, as has been fully established? Can you, consistently with your oath to support the constitution, surrender the power? Are you prepared to admit that the inhabitants of the territories possess the sovereignty over them, and that any number, more or less, may claim any extent of territory they please; may form a constitution and government, and erect it into a State, without asking your permission? Are you prepared to surrender the sovereignty of the United States over whatever territory may be hereafter acquired to the first adventurers who may rush into it? Are you prepared to surrender virtually to the Executive Department all the powers which you have heretofore exercised over the territories? If not, how can you, consistently with your duty and your oaths to support the constitution, give your assent to the admission of California as a State, under a pretended constitution and government? Again, can you believe that the project of a constitution which they have adopted has the least validity? Can you believe that there is such a State in reality as the State of California? No; there is no such State. It has no legal or constitutional existence. It has no validity, and can have none, without your sanction. How, then, can you admit it as a *State*, when, according to the provision of the constitution, your power is limited to admitting new *States*. To be admitted, it must be a State, —and an existing State, independent of your sanction, before you can admit it. When you give your permission to the inhabitants of a territory to form a constitution and a State, the constitution and State they form, derive their authority from the people, and not from you. The State, before it is admitted is actually a State, and does not become so by the

act of admission, as would be the case with California, should you admit her contrary to the constitutional provisions and established usage heretofore.

The Senators on the other side of the Chamber must permit me to make a few remarks in this connection particularly applicable to them,—with the exception of a few Senators from the South, sitting on the other side of the Chamber.—When the Oregon question was before this body, not two years since, you took (if I mistake not) universally the ground, that Congress had the sole and absolute power of legislating for the territories. How, then, can you now, after the short interval which has elapsed, abandon the ground which you took, and thereby virtually admit that the power of legislating, instead of being in Congress, is in the inhabitants of the territories? How can you justify and sanction by your votes the acts of the Executive, which are in direct derogation of what you then contended for? But to approach still nearer to the present time, how can you, after condemning, little more than a year since, the grounds taken by the party which you defeated at the last election, wheel round and support by your votes the grounds which, as explained recently on this floor by the candidate of the party in the last election, are identical with those on which the Executive has acted in reference to California? What are we to understand by all this? Must we conclude that there is no sincerity, no faith in the acts and declarations of public men, and that all is mere acting or hollow profession? Or are we to conclude that the exclusion of the South from the territory acquired from Mexico is an object of so paramount a character in your estimation, that right, justice, constitution and consistency must all yield, when they stand in the way of our exclusion?

But, it may be asked, what is to be done with California, should she not be admitted? I answer, remand her back to the territorial condition, as was done in the case of Ten-

nessee, in the early stage of the Government. Congress, in her case, had established a territorial government in the usual form, with a governor, judges, and other officers, appointed by the United States. She was entitled, under the deed of cession, to be admitted into the Union as a State as soon as she had sixty thousand inhabitants. The territorial government, believing it had that number, took a census, by which it appeared it exceeded it. She then formed a constitution, and applied for admission. Congress refused to admit her, on the ground that the census should be taken by the United States, and that Congress had not determined whether the territory should be formed into one or two States, as it was authorized to do under the cession. She returned quietly to her territorial condition. An act was passed to take a census by the United States, containing a provision that the territory should form one State. All afterwards was regularly conducted, and the territory admitted as a State in due form. The irregularities in the case of California are immeasurably greater, and offer much stronger reasons for pursuing the same course. But, it may be said, California may not submit. That is not probable; but if she should not, when she refuses, it will then be time for us to decide what is to be done.

Having now shown what cannot save the Union, I return to the question with which I commenced, How can the Union be saved? There is but one way by which it can with any certainty; and that is, by a full and final settlement, on the principle of justice, of all the questions at issue between the two sections. The South asks for justice, simple justice, and less she ought not to take. She has no compromise to offer, but the constitution; and no concession or surrender to make. She has already surrendered so much that she has little left to surrender. Such a settlement would go to the root of the evil, and remove all cause of discontent, by satisfying the South, she could remain hon-

orably and safely in the Union, and thereby restore the harmony and fraternal feelings between the sections, which existed anterior to the Missouri agitation. Nothing else can, with any certainty, finally and for ever settle the questions at issue, terminate agitation, and save the Union.

But can this be done? Yes, easily; not by the weaker party, for it can of itself do nothing—not even protect itself—but by the stronger. The North has only to will it to accomplish it—to do justice by conceding to the South an equal right in the acquired territory, and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled—to cease the agitation of the slave question, and to provide for the insertion of a provision in the constitution, by an amendment, which will restore to the South, in substance, the power she possessed of protecting herself, before the equilibrium between the sections was destroyed by the action of this Government. There will be no difficulty in devising such a provision—one that will protect the South, and which, at the same time, will improve and strengthen the Government, instead of impairing and weakening it.

But will the North agree to this? It is for her to answer the question. But, I will say, she cannot refuse, if she has half the love of the Union which she professes to have, or without justly exposing herself to the charge that her love of power and aggrandizement is far greater than her love of the Union. At all events, the responsibility of saving the Union rests on the North, and not on the South. The South cannot save it by any act of hers, and the North may save it without any sacrifice whatever, unless to do justice, and to perform her duties under the constitution, should be regarded by her as a sacrifice.

It is time, Senators, that there should be an open and manly avowal on all sides, as to what is intended to be done. If the question is not now settled, it is uncertain whether it

ever can hereafter be; and we, as the representatives of the States of this Union, regarded as governments, should come to a distinct understanding as to our respective views, in order to ascertain whether the great questions at issue can be settled or not. If you, who represent the stronger portion, cannot agree to settle them on the broad principle of justice and duty, say so; and let the States we both represent agree to separate and part in peace. If you are unwilling we should part in peace, tell us so, and we shall know what to do, when you reduce the question to submission or resistance. If you remain silent, you will compel us to infer by your acts what you intend. In that case, California will become the test question. If you admit her, under all the difficulties that oppose her admission, you compel us to infer that you intend to exclude us from the whole of the acquired territories, with the intention of destroying, irretrievably, the equilibrium between the two sections. We would be blind not to perceive in that case, that your real objects are power and aggrandizement, and infatuated not to act accordingly.

I have now, Senators, done my duty in expressing my opinions fully, freely, and candidly, on this solemn occasion. In doing so, I have been governed by the motives which have governed me in all the stages of the agitation of the slavery question since its commencement. I have exerted myself, during the whole period, to arrest it, with the intention of saving the Union, if it could be done; and if it could not, to save the section where it has pleased Providence to cast my lot, and which I sincerely believe has justice and the constitution on its side. Having faithfully done my duty to the best of my ability, both to the Union and my section, throughout this agitation, I shall have the consolation, let what will come, that I am free from all responsibility.

REMARKS

In reply to Mr. Foote, made in the Senate, March 5th, 1850.

[Mr. Foote having risen to make some explanation, took the occasion to animadvert, with no little asperity, on certain portions of Mr. Calhoun's speech of the day before (he being, at the time, out of his seat). His colleague, Mr. Butler, rose to explain the views of Mr. C. as he understood them; and concluded by saying:—

"These are the views of my colleague, as I understood him,—though I have never conferred with him concerning them. I have chosen to reply to my friend from Mississippi, without conferring with my colleague; and as he is now present (Mr. C. having just entered the Chamber), I will leave to himself the reference which I intended to have made, if he had not appeared in his seat, to the other comments on his speech by the Senator from Mississippi. I have no doubt, in his explanation, he will make himself understood. He has always thought and spoken for himself with intrepidity, and requires no interpreter."

Mr. Calhoun (in his seat). What is the question before the Senate? Is there any, Sir?

The Vice-President. There is no question pending.]

Mr. Calhoun. I must express my great regret, that a member of this body, in my absence this morning—before the hour for the consideration of the question, should have employed himself in commenting on my remarks in reference to the important issues now under discussion. I had not the opportunity of hearing the remarks of the Senator from Mississippi. Did he accuse me of disunion? Did he mean to insinuate that?

[Mr. Foote explained. He did not intend to charge the Senator with any designs hostile to the Union. He went on to explain his reasons for introducing the subject, and commented on the suggestion,

that an amendment to the constitution was necessary to protect the rights of the South, which he declared he did not think requisite.]

Mr. Calhoun. My friend from Mississippi might have been saved from the necessity of making these solemn protests that he has never followed a leader—for I have never pretended to be the leader of any man. When I speak, I speak for myself,—upon my individual responsibility,—and not for the Senator from Mississippi, nor any other Senator. Sir, I desire that my words shall go out and be received by the public as they stand, and not as they may be attempted to be explained here by any gentleman.

Mr. President, the Senator from Mississippi has unfortunately overlooked the character of my remarks. What was the great object I had in view? It was to ascertain the cause of the disquiet which prevails; and could I overlook the cause, which is so obviously to be traced to the utter inability of the Southern States to defend themselves through Congress, upon this, or any other subject, upon which the Northern States choose to act? Could that be overlooked? It is the great and manifest cause. If we had the same power now that we had formerly, we could defend ourselves here; but that power is gone, and it is the sense of weakness that the South feels—it is the conviction that they cannot defend themselves here, which has caused the deep excitement that prevails in this section of the Union. Could I overlook that? And what was my summing up? It was, that, unless this question is finally and for ever settled now, it is not probable that it will be settled at any future time,—and that it never can be satisfactorily settled unless the cause which led to that disquiet be removed. I said nothing about *sine qua nons*—I did not allude to any *sine qua non*. That is an inference of the Senator from Mississippi,—not to be deduced from any language I used.

But I will say,—and I say it boldly,—for I am not

afraid to say the truth on any question,—that, as things now stand, the Southern States cannot remain in the Union. When this question may be settled,—when we shall come to a constitutional understanding,—is a question of time: but, as things now stand, I appeal to the Senator from Mississippi if he thinks that the South can remain in the Union on terms of equality?

[Mr. Foote. We cannot, unless the pending questions are settled; but, in my opinion, these questions may be settled, and honorably settled, within ten days' time.]

Mr. Calhoun. Does the Senator think that the South can remain in the Union upon terms of equality, without a specific guaranty that she shall enjoy her rights unmolested?

[Mr. Foote. I think she may, without any previous amendment to the constitution. There we disagree.]

Mr. Calhoun. Yes;—there we disagree entirely; and there, I think, he disagrees with our ancestors. I agree with them. They thought liberty required guaranties;—they thought that it required protection;—and so I believe. Mr. President, I will not dwell upon this topic, which has been brought up in this irregular manner.

The Senator from Mississippi accused me of another thing,—that I condemned the whole North in the gross, as being hostile to the South. What did I say? I stated that there were three divisions of sentiments in the North on the subject. The first (and it constitutes but a small portion) believes the institution of slavery immoral;—a larger portion believe it to be criminal;—and all believe it to be a blot upon our national escutcheon. What more did I say? I said that, whenever it came to a question, all parties would join in fighting against the South.

[MR. FOOTE. This passage in the Senator's speech struck me as being too severe. I am very glad to hear it explained.]

MR. CALHOUN. Every portion of the North entertains feelings more or less hostile to the South.

[MR. FOOTE. I cannot think so.]

MR. CALHOUN. More or less hostile. What I mean is, —that they declare that the institution is a blot upon our national escutcheon. Is that not being more or less hostile? and is there a Northern man who will rise up and make a declaration to the contrary? Sir, I must express my deep regret that the Senator from Mississippi should think it proper to call on me in this irregular way, and at this early stage, for an explanation. If he differed from me, there would be a suitable occasion, in the course of the debate, to express his sentiments. No, Mr. President, we cannot disguise the fact, that this feeling in the North exists; and, unless there be a provision in the constitution to protect us against the consequences, the two sections of this Union will never live in harmony.

Now, Sir, as to the question of disunion. I talk very little about, whether I am a Union man or not; because I put no confidence in professions—I leave it to my acts to determine the question. Sir, I challenge comparison with any man here. I challenge a comparison with the Senator from Mississippi. I appeal to him, if there be any man who has abstained more carefully from, what he believes, a violation of the constitution,—or who has ever been more forward to arrest all infractions of that instrument? It is in vain for a man to say he loves the Union if he does not protect the constitution;—for that is the bond that made the Union. If I am judged by my acts, I trust I shall be found as firm a friend of the Union as any man within it.

Sir, I do not know that there are any points I have left unexplained. If my friend from Mississippi (for I will still call him my friend) wishes for explanation upon any other point I shall be glad to accommodate him.

[Here Mr. Foote rose to explain, and expressed his regret that he had been misunderstood by the Senator from South Carolina, and concluded by declaring his high regard, &c.]

Mr. Calhoun. The Senator exhibits, I think, a little anxiety to misconstrue ;—at all events, he does not construe my remarks literally. He calls my attention to a meeting in New-York, at which, he says, sentiments were expressed that were favorable to the South. It is true there were many sentiments expressed there that I approved of, but I am not to be deceived by them. That meeting was designed to deprive us of all our rights in California—I like to attend to things, and not to the names by which they are called. Sir, I should be most happy to think that we should have the votes of the Senators from New-York, and of other Senators of the North, in favor of preserving our rights in California. But there are two ways of treating the subject :—one is by speaking, and the other by acting. Of the two, the latter is the most effective. I had hopes that this discussion would go on regularly, and I hope it will hereafter ; and if any Senator, in the course of his remarks, chooses to comment upon what I have said, I trust I shall have health to defend my own position.

END OF VOL. IV.

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